PUBLIC DEFENSE SERVICES COMMISSION

Agency Request Budget

For the appropriation year ended June 30, 2025

PUBLIC DEFENSE SERVICES COMMISSION

Agency Request Budget
2023 – 2025 Biennium

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Certification

I hereby represent and warrant that the accompanying summary and detailed statements are true and correct to the best of my knowledge and belief and that the accuracy of all numerical information has been verified.

Public Defense Services Commission	198 Commercial Street S.E., Suite 205, Salem, Oregon 97301
Agency Name	**Agency Address**
	Chair
Signature **Date**	**Title**

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Budget Impacts to the 2021-23 Legislatively Approved Budget

■ **General agency appropriations:** The 81st Legislative Assembly passed the commission's funding and appropriations measure ("General Funding Measure"), Oregon Laws 2021, Chapter 444 (House Bill 5030), which set the commission's legislatively adopted budget for the appropriation year ended June 30, 2023.

■ The measure also provided a **one-hundred-million-dollar General Fund special purpose appropriation** (SPA) to the Emergency Board for future allocation to the commission.

■ The commission's **attorney general fees and other statewide assessments and enterprise charges**, as furnished by the Department of Administrative Services, **were reduced by 190,407 dollars** by Oregon Laws 2021, Chapter 669 (House Bill 4006).

■ **February 2022 Budget Reconciliation and Omnibus Bill:** The 81st Legislative Assembly appropriated an additional **$16.26 million to the commission** in the budget reconciliation measure, Oregon Laws 2022, Chapter 110 (House Bill 5202), which, *inter alia*, provided over $12.8 million in emergency funding for the procurement of additional public defenders.

— Notwithstanding the emergency funding, the measure provided $380,436 to implement chapter 400, Oregon Laws 2021, **which improves protected persons' access to court-appointed counsel**.

— The assembly provided $259,969 for a permanent senior deputy defender in the agency's Appellate Division, Juvenile Appellate Section.

— In addition to what was already appropriated by the General Funding Measure, the assembly appropriated $743,588 to the agency for the **design, development, implementation of a financial and case management system**.

— The Parent Child Representation Program (PCRP) established a permanent deputy general counsel in the agency's Juvenile Division to **aid in the implementation of the program and family treatment courts across the entire state**. This action resulted in $195,833 in General Fund.

— Finally, the budget reconciliation measure provided $1.60 million dollars to defray the incremental costs of cost-of-living adjustments, personnel merit wage increases, and other changes to the agency's compensation plan.

Legislative Action

Summary

- The Joint Emergency Board allocated the entire one-hundred-million-dollar SPA to the agency on June 13, 2022.

Summary of 2021-23 Legislatively Approved Budget legislative authorities

			Appropriation / Allocation	
Session	**Bill No.**	**Authority**	**General Fund**	**Other Funds**
81st Assembly (2021)	HB 5030	Oregon Laws 2021, Chapter 444	321,374,582	18,449,667
81st Assembly (2021)	HB 4006	Oregon Laws 2021, Chapter 669	(190,407)	0
81st Assembly (2022)	HB 5202	Oregon Laws 2022, Chapter 110	16,255,475	0
Emergency Board	June 3, 2022, Certification	Allocation (ORS 291.326 (1))	100,094,155	0

[This page intentionally left blank. Legislative measures follow.]

CHAPTER 400

AN ACT SB 578

Relating to appointment of legal counsel for certain persons in protective proceedings; creating new provisions; and amending ORS 125.080.

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

SECTION 1. ORS 125.080 is amended to read:

125.080. (1) The court may require that a hearing be held on any petition or motion in a protective proceeding.

(2) A hearing must be held on a petition or motion if [*an*] **the respondent or protected person makes or files an** objection [*is filed*] to the petition or motion and the objection is not withdrawn before the time scheduled for the hearing.

(3) A hearing must be held on a motion to modify a guardian's powers under ORS 125.323.

(4) The respondent or protected person may appear at a hearing in person or by counsel.

(5)**(a)** If the court requires that a hearing be held [*on a petition,*] or a hearing is otherwise required under this section, the court [*may*] **shall** appoint counsel for the respondent [*unless the respondent is already represented by counsel.*] **or protected person when:**

(A) The respondent or protected person requests that counsel be appointed;

(B) An objection is made or filed to the petition or motion by any person;

(C) The court has appointed a visitor under ORS 125.150, 125.160 or 125.605, and the visitor recommends appointment of counsel for the respondent or protected person; or

(D) The court determines that the respondent or protected person is in need of legal counsel.

(b) The court is not required to appoint counsel under this subsection if the respondent or protected person is already represented by counsel or otherwise objects to appointment of counsel.

(6) If the court appoints counsel under subsection (5) of this section:

(a) The court shall order payment of attorney fees and costs from the guardianship or conservatorship estate of the respondent or protected person if sufficient funds exist to pay all or a portion of the attorney fees and costs due; or

(b) The court may determine that a respondent or protected person is financially eligible for appointed counsel at state expense and, if so, the compensation for legal counsel and costs and expenses necessary for representation of the respondent or protected person shall be determined and paid by the public defense services executive director as provided under ORS 135.055.

SECTION 2. (1) As used in this section:

(a) "Case subtype" means guardianship, conservatorship or guardianship and conservatorship.

(b) "Case type" means adult protective proceeding or minor protective proceeding.

(2) No later than September 15 of each year, the Judicial Department shall submit, to the interim committees of the Legislative Assembly related to the judiciary, a report on county-level data concerning protective proceedings in Multnomah, Lane and Columbia Counties during the two calendar years immediately preceding the year of the report, including:

(a) The number of protective proceedings initiated, broken out by case type and case subtype;

(b) The number of protective proceedings where the respondent was 65 years of age or older at the time the petition was filed;

(c) The number of protective proceedings granted, broken out by case type and case subtype; and

(d) The number of respondents or protected persons for whom the court appointed counsel under ORS 125.080, broken out by case subtype.

(3) The department, in consultation with the office of public defense services, shall also include in the report described in subsection (2) of this section, to the extent the data is available:

(a) The number of cases with court appointed counsel where payment for court appointed counsel was from the assets of the respondent or protected person, broken out by case subtype; and

(b) The aggregate number of hours court appointed counsel spent representing respondents or protected persons and the average number of hours court appointed counsel spent per case.

SECTION 3. The Judicial Department shall submit the first report required under section 2 of this 2021 Act no later than September 15, 2024, and annually thereafter.

SECTION 4. The amendments to ORS 125.080 by section 1 of this 2021 Act apply only to:

(1) Hearings taking place in Multnomah County and Lane County on or after January 2, 2022;

(2) Hearings taking place in Columbia County on or after January 2, 2023; and

(3) Hearings taking place in any other county on or after January 2, 2024.

Approved by the Governor June 23, 2021
Filed in the office of Secretary of State June 23, 2021
Effective date January 1, 2022

CHAPTER 444

AN ACT HB 5030

Relating to the financial administration of the Public Defense Services Commission; and declaring an emergency.

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

SECTION 1. There are appropriated to the Public Defense Services Commission, for the biennium beginning July 1, 2021, out of the General Fund, the following amounts, for the following purposes:

(1)	**Executive Division**	**$ 3,600,361**
(2)	**Compliance, Audit and Performance Division**	**$ 4,656,251**
(3)	**Appellate Division**	**$ 24,925,503**
(4)	**Trial Criminal Division**	**$186,458,931**
(5)	**Nonroutine Expenses**	**$ 43,663,533**
(6)	**Court Mandated Expenses**	**$ 15,006,403**
(7)	**Juvenile Division**	**$ 30,577,095**
(8)	**Administrative Services Division**	**$ 12,486,505**

SECTION 2. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2021, as the maximum limits for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Public Defense Services Commission, for the following purposes:

(1)	**Court Mandated Expenses**	**$ 4,449,667**
(2)	**Juvenile Division**	**$ 14,000,000**

SECTION 3. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the General Fund, the following amounts, to be allocated to the Public Defense Services Commission for the following purposes:

(a)	**Trial Criminal Division**	**$ 70,250,989**
(b)	**Nonroutine Expenses**	**$ 14,554,511**
(c)	**Court Mandated Expenses**	**$ 5,002,135**
(d)	**Juvenile Division**	**$ 10,192,365**

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 4. Notwithstanding any other provision of law, the General Fund appropriation made to the Public Defense Services Commission by section 1 (2), chapter 303, Oregon Laws 2019, for the biennium ending June 30, 2021, for professional services, is increased by $3,782,000 for nonroutine expenses and court-mandated expenses.

SECTION 5. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect July 1, 2021.

Approved by the Governor July 2, 2021
Filed in the office of Secretary of State July 7, 2021
Effective date July 2, 2021

HB 5030 A BUDGET REPORT and MEASURE SUMMARY **Carrier:** Sen. Prozanski

Joint Committee On Ways and Means

Action Date:	06/11/21
Action:	Do pass the A-Eng bill.
Senate Vote	
Yeas:	12 - Anderson, Frederick, Girod, Golden, Gorsek, Hansell, Johnson, Knopp, Lieber, Steiner Hayward, Taylor, Thomsen
House Vote	
Yeas:	11 - Bynum, Drazan, Gomberg, Leif, McLain, Nosse, Rayfield, Sanchez, Smith G, Sollman, Stark
Prepared By:	April McDonald, Department of Administrative Services
Reviewed By:	John Borden, Legislative Fiscal Office

Public Defense Services Commission
2021-23

Emergency Board
2021-23

Public Defense Services Commission
2019-21

Budget Summary*

	2019-21 Legislatively Approved Budget[1]	2021 - 23 Current Service Level	2021-23 Committee Recommendation	Committee Change from 2019-21 Leg. Approved	
				$ Change	% Change
General Fund	$ 342,078,348	$ 396,803,692	$ 321,374,582	$ (20,703,766)	-6.1%
Other Funds Limited	$ 13,586,941	$ 4,449,667	$ 18,449,667	$ 4,862,726	35.8%
Total	$ 355,665,289	$ 401,253,359	$ 339,824,249	$ (15,841,040)	-4.5%

Position Summary

Authorized Positions	90	79	108	18
Full-time Equivalent (FTE) positions	86.47	78.80	104.72	18.25

[1] Includes adjustments through January 2021

* Excludes Capital Construction expenditures

Emergency Board

	2019-21 Legislatively Approved Budget[1]	2021 - 23 Current Service Level	2021-23 Committee Recommendation	Committee Change from 2019-21 Leg. Approved	
				$ Change	% Change
General Fund	$ -	$ -	$ 100,000,000	$ 100,000,000	100.0%
Total	$ -	$ -	$ 100,000,000	$ 100,000,000	100.0%

2019-21 Supplemental Budget

	2019-21 Legislatively Approved Budget[1]	2019-21 Committee Recommendation	Committee Change	
			$ Change	% Change
General Fund	$ 342,078,348	$ 345,860,348	$ 3,782,000	1.1%
Total	$ 342,078,348	$ 345,860,348	$ 3,782,000	1.1%

Summary of Revenue Changes

The Public Defense Services Commission (PDSC) is primarily supported by General Fund. Other Funds are sourced from Title IV-E Federal Funds, received as Other Funds from the Department of Human Services, and fees associated with the Application Contribution Program (ACP). In 2019, federal policy was revised, allowing Oregon to claim Title IV-E funds for administrative reimbursement of costs associated with legal representation of a child or parent in foster care proceedings. Reimbursement for training of contracted legal services providers is also included. In the 2021-23 biennium, PDSC anticipates $14.0 million Federal as Other Funds for Title IV-E as reimbursement for state expenses.

Other Funds revenue for ACP is collected in accordance with ORS 151.487, which provides judges the authority to order those who apply for court-appointed counsel to pay the administrative costs of determining their eligibility and a "contribution amount" toward the anticipated cost of the public defense prior to conclusion of the case. The Judicial Branch Verification Specialists assist the courts in determining whether a person must pay these costs. This revenue is deposited in the Public Defense Services Account and used to fund the operating expenses of the ACP. Anticipated ACP revenues for the 2021-23 biennium is approximately $4.4 million Other Funds. Of that amount, $3.6 million will be transferred to the Judicial Department (OJD) to fund the verification specialist positions.

Summary of Public Safety Subcommittee Action

PDSC is responsible for establishing and maintaining a public defense system that ensures the provision of public defense services in the most cost-efficient manner, consistent with the Oregon Constitution and the United States Constitution, as well as state and national standards of justice. The Commission is an independent body governing the Office of Public Defense Services, as the administrative agency. The Chief Justice of the Oregon Supreme Court appoints members to the Commission. With the recent passage of House Bill 2003 (2021), membership of the Commission was expanded from seven to nine members who demonstrate a record of supporting public defense.

The 2021-23 recommended budget includes an agency reorganization to provide better transparency, program management, and oversight. Previously, PDSC had three divisions: the Appellate Division, the Contract and Business Services Division, and the Professional Services Account. The recommended budget maintains, but reorganizes, the Appellate Division and structures the agency into seven additional divisions to make service delivery and budget authority more visible. The new divisions include the Executive Division, the Compliance, Audit and Performance Division, the Trial Criminal Division, Non-routine Expenses, Court Mandated Expenses, the Juvenile Division, and the Administrative Services Division.

The Subcommittee approved a budget of $339,824,249 total funds, comprised of $321,374,582 General Fund, $18,449,667 Other Funds expenditure limitation and 108 positions (104.72 FTE). The approved total funds budget is 4.5% lower than the 2019-21 legislatively approved budget, and is 15.3% lower than the 2021-23 current service level budget. The decline in the recommended budget is predominantly due to a General Fund holdback totaling $100 million across four divisions. The General Fund will be placed in a special purpose appropriation, appropriated to the Emergency Board for PDSC. The holdback also is reflective of an inordinately high degree of uncertainty related to

procurement costs. The 2021-23 recommended budget, assuming restoration of the General Fund holdback, represents an $84.2 million increase over the 2019-21 legislatively approved budget and a $38.6 million increase to the 2021-23 current service level. The Subcommittee recommended the following budget note:

> **Budget Note:**
> The Public Defense Services Commission is directed to report to the Joint Committee on Ways and Means during the Legislative Session in 2022, and quarterly thereafter to the Legislative Emergency Board, on the Commission's restructuring and modernization efforts. The release of special purpose appropriation to the Commission is contingent upon the Commission's satisfactory progress, as determined by the Legislature and/or the Legislative Emergency Board, in executing the Legislative direction in HB 5030 budget report, and as related to Legislative expectations regarding the restructuring, modernization, financial controls, quality management, performance metrics, and governance of the agency. Reporting is to also include, but is not limited to, updated caseload and financial forecasts; procurement activities, including contract amendments and the alignment of contracting with the biennial budget process as well as the separation of adult criminal and juvenile trial-level contracts; and human resources activities, including the hiring of positions, staff turnover, unbudgeted position actions, compensation plan changes, and staff morale.

Appellate Division

The Appellate Division provided constitutionally and statutorily mandated representation in the appellate courts to those financially eligible for services. As part of the recommended reorganization, the Appellate Division has been abolished as the first budget structure in PDSC and reestablished within the new agency structure. The following package represents the Division's abolishment:

Package 801, LFO Analyst Adjustments. This package abolishes the Appellate Division by transferring $26,935,314 General Fund, representing the current service level, and 56 positions (55.80 FTE) into new budgetary structures, including the re-established Appellate Division. The purpose of this package is to reorganize the budgetary structure along the agency's major lines of business, as the former structure was outdated and inadequate to manage agency programs and activities and provide oversight.

Professional Services Account

The Professional Services Account budget structure was intended to fund legal representation, primarily for cases in trial courts or juvenile courts, for those eligible for public defense services. As part of the recommended reorganization, the Professional Services Account budgetary structure has been abolished and the operational function has been reorganized into PDSC's new structure. The following package represents the Division's abolishment:

Package 801, LFO Analyst Adjustments. This package abolishes the budgetary structure for the Professional Services Account by transferring $360,887,469 General Fund and $3,591,305 Other Funds expenditure limitation for the ACP, into new budgetary structures as part of the agency's reorganization. The transfer of funding is equivalent to the current service level. The purpose of this package is to reorganize the

budgetary structure along the agency's major lines of business, as the former structure was outdated and inadequate to manage agency programs and activities and provide oversight. The abolishment of this structure further clarifies PDSC's budget as predominantly funded through the appropriation of General Fund rather than the Professional Services Account.

Contract and Business Services Division
The Contract and Business Services Division was intended to administer all of the public defense services contracts and provide administrative support to the staff in the Appellate Division. As part of the recommended reorganization, the Contract and Business Services Division has been abolished and the operational function has been reorganized into PDSC's new structure. The following package represents the Division's abolishment:

Package 801, LFO Analyst Adjustments. This package abolishes the Contract and Business Services Division by transferring $8,980,909 General Fund, $858,362 Other Funds expenditure limitation for the ACP, and 23 positions (23.00 FTE) into newly established budgetary structures as part of the agency's reorganization. The transfer of funding and positions is equivalent to the current service level. The purpose of this package is to reorganize the budgetary structure along the agency's major lines of business, as the former structure was outdated and inadequate to manage agency programs and activities and provide oversight.

Executive Division
The Executive Division is a newly established Division organized into the following sections: (1) Administration; (2) General Counsel Staff; and (3) Communications and Legislation. The Division provides the leadership function and governance structure of the agency under the Commission and includes staff to support the Commission, the Executive Director, General Counsel, and Communications and Legislative Affairs.

The Subcommittee recommended a budget of $3,600,361 General Funds and eight positions (7.88 FTE). The recommended budget includes the following packages:

Package 801, LFO Analyst Adjustments. This package establishes the Executive Division's budget at the current service level by transferring $2,408,960 General Fund and five permanent positions (5.00 FTE) from abolished budget structures, as part of the agency's reorganization. Positions include:

- One permanent full-time Executive Director (1.00 FTE)
- One permanent full-time General Counsel (1.00 FTE)
- One permanent full-time Executive Assistant (1.00 FTE)

- One permanent full-time Operations and Policy Analyst 4 (1.00 FTE)
- One permanent full-time Operations and Policy Analyst 2 (1.00 FTE)

The Operations and Policy Analyst 4 and the Operations and Policy Analyst 2 shall be converted to limited duration until the long-term need for these positions can be ascertained.

Package 802, 2019-21 Interim Actions. This package provides an increase of $461,692 General Fund and re-authorizes the establishment of one permanent full-time Deputy General Counsel position (1.00 FTE). Associated services and supplies are also included, totaling $11,444 General Fund. This action was previously approved by the Emergency Board in April 2020.

Package 806, Deputy Director. This package increases General Fund by $729,709 and authorizes the establishment of one permanent full-time Deputy Director (0.88 FTE) and one permanent full-time Executive Assistant (1.00 FTE). The package includes $21,458 in associated services and supplies. The purpose of this package is to provide for an agency Deputy Director, who reports directly to the Executive Director and serves in the capacity of the Executive Director, in their absence. This position is also intended to improve the coordination and oversight of the agency's legal and non-legal functions. The legislative expectation is that this position will be subject to a competitive recruitment.

The Executive Assistant position is intended for the staff of the Multnomah County Courthouse. Housed within this office space is a “Public Defense Resource Center,” whose purpose is to provide a meeting space for Portland public defenders, as well as offices for state Appellate Division staff and managing trial-level attorneys.

Compliance, Audit and Performance Division

The Compliance, Audit and Performance Division has been established to help strengthen the agency’s program management, performance, and oversight. The Division is organized into the following sections: (1) Administration; (2) Trial Criminal Compliance; (3) Juvenile/Parent Child Representation Program (PCRP) Compliance; (4) Research, and (5) Internal Audit, which reports directly to the Commission. The Division provides the following mutually inclusive services: (a) vendor contract compliance; (b) auditing of expenditures related to vendor contracts; (c) internal auditing of agency expenditures; (d) research and analysis; and (e) development and maintenance of performance measures, including Key Performance Measures and supporting Key Performance Indicators.

The Subcommittee recommended a budget of $4,656,251 General Fund and 13 positions (11.27 FTE). The recommended budget includes the following packages:

Package 801, LFO Analyst Adjustments. This package establishes the Compliance, Audit and Performance Division budget at the current service level by transferring $980,445 General Fund and two positions (2.00 FTE) from abolished budget structures as part of the agency's reorganization. The Subcommittee recommended the following budget note related to this division:

> **Budget Note:**
> The Public Defense Services Commission is directed to develop a comprehensive program plan for the Compliance, Audit, and Performance Division, which is to include, but is not limited to: (a) the administration of the Criminal Trial, Non-Routine Expenses, Court-Mandated Expenses, and Juvenile Divisions; (b) quality assurance/control plans for Criminal Trial, Non-Routine Expenses, Court-Mandated Expenses and Juvenile Divisions, including the PRCRP, and the Appellate Division; and (c) the development of Key Performance Indicators and Key Performance Measures for the agency. The Commission is directed to submit the plan to the Legislative Emergency Board in September of 2022 and then Key Performance Indicators and Key Performance Measurements to the Legislature prior to the Legislative Session in 2023.

Package 802, 2019-21 Interim Actions. This package increases General Fund by $1,007,718 and re-authorizes the establishment of two permanent full-time Deputy General Counsel positions (2.00 FTE). The package includes $22,888 in associated services and supplies. This action was previously approved by the Emergency Board in April 2020. The purpose of this package is to establish two positions to oversee the work of the contract lawyers involved in criminal law.

Package 805, External and Internal Auditing. The purpose of this package is to permanently establish an Internal Audit Section within the agency, whose purpose is to conduct internal audits of agency operations, as well as procured services. The Internal Audit Section is to report directly to the Commission. Moreover, this package provides funding for an external financial and performance audit of the agency, by way of a contract with the Secretary of State Audits Division. This package increases General Fund by $854,520 and authorizes the establishment of two permanent full-time Internal Auditor positions (1.76 FTE). This amount includes $370,028 in associated services and supplies, of which $350,000 is a one-time increase of professional services for an independent financial and performance audit of the agency. The Subcommittee recommended the following budget notes:

> **Budget Note:**
> The Public Defense Services Commission, under the direction and guidance of the Secretary of State Audits Division, and based upon the direction and guidance of the Joint Committee on Legislative Audits, is to contract for a comprehensive external financial and performance audit of the agency. The Commission is to submit the audits, and the agency’s responses to the audits, to the Interim Joint Committee on Legislative Audits no later than September 2022.

Budget Note:
The Public Defense Services Commission is directed to report to the Joint Committee on Legislative Audits during the Legislative Session in 2022 on the establishment of the Commission's internal audit function. The report is to include the internal audit staff reporting structure to the Commission as well as internal audit plans for the 2021-23 biennium and the 2023-25 biennium. The Commission may consider the establishment of an Audit Committee comprised of a subset of Commissions members with quarterly reporting to the full Commission.

Package 807, Compliance and Research Function. This package increases General Fund by $1,813,568 and authorizes the establishment of seven permanent full-time positions (5.51 FTE), which include the following:

- Criminal Trial Section - one permanent full-time General Counsel position for Criminal Trial (0.75 FTE); one permanent full-time Deputy General Counsel (0.50 FTE);
- Juvenile Section - abolish one permanent full-time Deputy General Counsel and establish one permanent full-time General Counsel; establish one permanent full-time Deputy General Counsel (1.00 FTE);
- Research Section - one permanent full-time Research Analyst 4 position (0.75 FTE) for Criminal Trial; one permanent full-time Research Analyst 4 position (0.75 FTE) for the Juvenile Section; and two limited duration Operations and Policy Analyst 2 positions (1.76 FTE).

The intent of this package is to provide additional quality assurance for Criminal Trial, Research Analysts for analytics and research on public defense outcomes for trial level and juvenile cases, and data analysts for the agency. The legislative expectation is that these positions will all be part of a competitive recruitment process.

Appellate Division
As part of the recommended agency reorganization, the Appellate Division has been reestablished and includes the Administration, Criminal Appellate, and Juvenile Appellate sections. The Division provides state and federal appellate court defense for financially eligible defendants. This includes appellate representation for financially eligible parents and children in cases of juvenile dependency, as well as termination of parental rights cases. The Appellate Division, Criminal Appellate section, serves a mandated caseload and is to be budgeted based on anticipated caseload changes for state constitution or court actions.

The Subcommittee recommended a budget of $24,925,503 General Funds and 57 positions (56.80 FTE). The recommended budget includes the following packages:

Package 801, LFO Analyst Adjustments. This package reestablishes the Appellate Division budget at the current service level by transferring $24,516,578 General Fund and 56 positions (55.80 FTE) from the abolished Appellate Division budget structure as part of the agency's reorganization.

Package 803, CSL Deficits. This package increases General Fund by $408,925 and authorizes the establishment of one permanent full-time Senior Deputy Defender (1.00 FTE). The package includes $11,444 for associated services and supplies. The purpose of this package is to augment staffing for appellate representation of financially eligible parents and children in juvenile dependency cases and termination of parental rights cases.

Trial Criminal Division

The Trial Criminal Division funds trial-level public defense for financially eligible defendants in the following cases: (a) criminal; (b) civil commitments; (c) contempt; and (d) representation in juvenile dependency and termination of parental rights cases in counties not participating in PCRP. Contract services are provided by non-profit public defender offices, law firms, consortia of attorneys, and sole practitioners. The Division is organized into the following sections: (1) Administration; (2) Appellate; (3) Trial Level; and (4) Juvenile. The Trial Criminal Division is subject to a mandated caseload and is to be budgeted based on anticipated caseload changes for state constitution or court actions.

The Subcommittee recommended a budget of $186,458,931 General Funds, and no positions or FTE. The recommended budget includes the following packages:

Package 801, LFO Analyst Adjustments. This package establishes the Trial Criminal Division budget at the current service level by transferring $255,804,275 General Fund from abolished budget structures as part of the agency's reorganization. The Division's budget is comprised exclusively of services and supplies, expended as professional services.

Budget Instructions: PDSC is directed to move Trial Criminal contracts to a biennial, or biennial fiscal year, contracting model beginning with the 2023-25 biennium. The agency has historically let procurement contracts on a two calendar year basis, which has resulted in a misalignment with the biennial budget.

Budget Instructions: By July 1, 2022, PDSC is to begin the procurement of trial-level representation to parents in juvenile dependency cases and termination of parental rights cases as contracts separate and distinct from Trial Criminal procurement.

Package 803, CSL Deficits. This package increases General Fund by $905,645 for professional services to fully fund Trial Criminal Division expenses at current service level based on contract and contract amendment costs, as of May 2021.

Package 820, General Fund Holdback. This package reduces General Fund by $70,250,989 for professional services. The General Fund held back in this package will be placed in a special purpose appropriation (SPA) appropriated to the Emergency Board for PDSC. The holdback of General Fund is deemed necessary, as the Commission is statutorily exempt from allotment authorities (ORS 291.232) and, therefore, the Legislature is unable to request the unscheduling of agency funds.

Non-Routine Expenses

The Non-Routine Expenses Division funds "reasonable and necessary" public defense related case costs, including transcriptionists, investigators, interpreters, mitigators, social workers, psychologists, polygraph examiners, and forensic experts, such as firearm experts, arson experts, deoxyribonucleic acid (DNA) experts, and medical experts. The Division is organized into the following sections (1) Administration; (2) Appellate; (3) Trial Level; and (4) Juvenile. As with expenditures in the Appellate and Trial Criminal divisions, non-routine expenses are driven by a mandated caseload and therefore the Division should be budgeted based on anticipated caseload changes for state constitution or court actions.

The Subcommittee recommended a budget of $43,663,533 General Fund, and no positions or FTE. The recommended budget includes the following packages:

Package 801, LFO Analyst Adjustments. This package establishes the Non-Routine Expenses budget at the current service level by transferring $62,751,518 General Fund from abolished budget structures, as part of the agency's reorganization. The Division's budget is comprised exclusively of services and supplies, expended as professional services.

The current service level includes $917,915 General Fund for interpreter and investigator rate increases approved by the Emergency Board in April of 2020 (Item #11). However, PDSC made the administrative decision to only provide a rate increase to investigators. The hourly rate for investigators in non-capital cases increased from $34 to $40 per hour, resulting in a 17.6% increase.

Budget Instructions: PDSC is directed to move Non-Routine Expenses to a biennial billing model beginning with the 2023-25 biennium.

Package 803, CSL Deficits. This package reduces the Division's professional services budget by $4,533,474 General Fund to reconcile current service level funding with forecasted expenses, as of May 2021.

Package 820, General Fund Holdback. This package reduces the Division's professional services budget by $14,554,511 General Fund. The General Fund held back in this package will be placed in a SPA appropriated to the Emergency Board for PDSC. The holdback of General Fund is deemed necessary, as the Commission is statutorily exempt from allotment authorities (ORS 291.232) and, therefore, the Legislature is unable to request the unscheduling of agency funds.

Court Mandated Expenses
The Court Mandated Expenses Division funds trial and appellate representation for the following (a) the provision of attorney services not funded through a normal provider contract; and (b) discovery, postage, photocopying, parking, mileage, basic interpreter services, and costs associated with obtaining certain types of records (up to $300). The Division is organized into the following sections: (1) Administration; (2) Appellate; (3) Trial Level; (4) Juvenile; and (5) the Application Contribution Program (ACP). The Court Mandated Expenses Division is subject to a mandated caseload and is to be budgeted based on anticipated caseload changes for state constitution or court actions.

The Subcommittee recommended a budget of $15,006,403 General Fund, $4,449,667 Other Funds expenditure limitation and no positions or FTE. The recommended budget includes the following packages:

Package 801, LFO Analyst Adjustments. This package establishes the Court Mandated Expenses budget at current service level by transferring $20,025,025 General Fund and $4,449,667 Other Funds expenditure limitation for the ACP, from abolished budget structures as part of the agency's reorganization. The Division's budget is comprised exclusively of services and supplies, expended as professional services. This package also consolidates ACP revenues into a single program. ACP revenue supports a special payment of $3,591,305 to OJD for the program Verification Specialist positions, as well as a portion of Court Mandated expenses. ACP revenues will no longer be used to fund PDSC personnel costs, which have been fund shifted from Other Funds to General Fund.

Budget Instructions: PDSC is directed to move Court Mandated Expenses to a biennial billing model beginning with the 2023-25 biennium.

Package 803, CSL Deficits. This package reduces General Fund by $16,487 for professional services in order to reconcile current service level funding with forecasted expenditures, as of May 2021.

Package 820, General Fund Holdback. This package reduces General Fund by $5,002,135 for professional services. The General Fund held back in this package will be placed in a SPA appropriated to the Emergency Board for PDSC. The holdback of General Fund is deemed necessary, as the Commission is statutorily exempt from allotment authorities (ORS 291.232) and, therefore, the Legislature is unable to request the unscheduling of agency funds.

Juvenile Division
The Juvenile Division provides trial-level representation to financially eligible parents and children in cases of juvenile delinquency, juvenile dependency, and those involving the termination of parental rights. The Division is divided into the following sections: (1) Administration; (2) Juvenile Expenses (non-PCRP); (3) PCRP Expenses; and (4) Title IV-E Federal as Other Funds. For budget purposes, the caseload of the Juvenile Division is not designated as a mandated caseload.

PDSC provides juvenile representation through two models; PCRP provider contracts, and trial-level contracts in the non-PCRP counties. Oregon's 10 counties participating in the PCRP include Linn and Yamhill (2014); Columbia (2016); Coos and Lincoln (2018); Multnomah, Benton, Clatsop, Douglas, and Polk (2020). PCRP contracts include attorneys and social work case managers serving as agents of the attorneys in select cases. Currently, trial-level contracts for counties not participating in the PCRP are budgeted under the Criminal Trial Division. However, it is anticipated PDSC will separate adult criminal and juvenile trial-level contracts prior to July 2022 and report, as directed in the first budget note. As part of this separation, the appropriate budget for juvenile trial-level contracts will be transferred to the Juvenile Division.

The Subcommittee recommended a budget of $30,577,095 General Fund, $14,000,000 Other Funds expenditure limitation, and no positions or FTE. The recommended budget includes the following packages:

Package 801, LFO Analyst Adjustments. This package establishes the Juvenile Division budget at the current service level by transferring $21,448,525 General Fund from abolished budget structures as part of the agency's reorganization.

Budget Instructions: By July 1, 2022, PDSC is to begin the procurement of trial-level representation to parents in juvenile dependency cases and termination of parental rights cases as contracts separate and distinct from Trial Criminal procurement.

Package 802, 2019-21 Interim Actions. This package reflects federal reimbursement for legal representation of financially eligible parents and children involved in foster care under the PCRP. Title IV-E funding for PCRP first became available during the 2019-21 biennium. It is received as Other Funds via a transfer from the Department of Human Services. This package reduces General Fund by $14,000,000 and increases Other Funds expenditure limitation by $14,000,000 to reflect the availability of Title IV-E funding as reimbursement for state expenses. A similar action was approved by the Legislature during the 2020 2nd special session. However, the amount has increased from $9,000,000 to $14,000,000, based upon the most current agency estimate. The legislative intent is to follow a consistent and long-term approach for budgeting Title IV-E funding.

Budget Instructions: PDSC is to apprise the Legislative Fiscal Office of any material change in Tile IV-E funding received from the Department of Human Services.

Package 803, CSL Deficits. This package increases General Fund by $22,899,406 for professional services in order to reconcile current service level funding with forecasted expenditures for juvenile trial-level contracts in 26 counties, as of May 2021.

Package 804, PCRP Deficit. This package increases General Fund by $10,421,529 for professional services in order to fund the following:

- Expansion of PCRP into Benton, Clatsop, Douglas, and Polk counties during the 2019-21 biennium; and

- Financial support enabling a carve-out of existing PCRP counties from trial-level contracts, which may include the Multnomah County expansion.

Of note, PDSC's administrative decision to expand into Benton, Clatsop, Douglas, and Polk counties was undertaken without legislative authorization or the prerequisite of legislative budgetary authorization.

Package 820, General Fund Holdback. This package reduces General Fund by $10,192,365 for professional services. The General Fund held back in this package will be placed in a SPA appropriated to the Emergency Board for PDSC. The holdback of General Fund is deemed necessary, as the Commission is statutorily exempt from allotment authorities (ORS 291.232) and, therefore, the Legislature is unable to request the unscheduling of agency funds.

Administrative Services Division

The Administrative Services Division provides agency-wide administrative support and central services for the agency. The newly established division is organized into the following sections based on service delivery:

- Administration
- Budget
- Accounting/Accounts Payable
- Human Resources
- Procurement
- Facilities
- Information Services

The Subcommittee recommended a budget of $12,486,505 General Fund and 30 positions (28.77 FTE). The recommended budget includes the following packages:

Package 801, LFO Analyst Adjustments. This package establishes the Administrative Services Division budget at the current service level by transferring $8,868,366 General Fund and 16 positions (16.00 FTE) from abolished budget structures, as part of the agency's reorganization. The recommendation includes a $250,000 professional services reduction.

Package 802, 2019-21 Interim Actions. This package reflects actions previously approved by the Emergency Board in April 2020. It provides $1,518,690 General Fund and six full-time positions (6.00 FTE). This includes one permanent Program Manager 4 to oversee procurement, one permanent Program Manager 1 to oversee accounts payable, two limited duration Human Resource Analyst 2 positions to address increased workload associated with new positions and implementation of Workday, and two permanent Accounting Technician 2 positions to assist in

the timely processing of payments. The two Human Resource Analyst 2 positions are established as limited duration until the workload of the Human Resources section can be established. A total of $7,179 General Fund is provided for associated services and supplies. This is the net result of $239,160 originally granted and a $231,981 reduction of one-time funds for Information Technology professional services associated with planning for the Financial and Case Management System.

Of note is that contrary to the direction of the Emergency Board authorization and to PDSC's original request, the agency administratively reclassified the Manager 4 position to a Program Analyst 4 and the two Accounting Technician 2 positions to the level of Accounting Technician 3, among other classification changes unrelated to the Emergency Board authorized positions.

Package 803, CSL Deficits. This package increases General Fund by $18,944 to provide services and supplies for agency-wide expenses realized by the Senior Deputy Defender staff, established in Package 803 for the Appellate Division.

Package 805, External and Internal Auditing. This package increases General Fund by $33,154 to provide services and supplies for agency-wide expenses realized by the Internal Audit Section staff, established in Package 805 for the Compliance, Audit and Performance Division.

Package 806, Deputy Director. This package increases General Fund by $35,521 to provide services and supplies for agency-wide expenses related to the Deputy Director and Executive Assistant, established in Package 806 for the Executive Division.

Package 807, Compliance and Research Function. This package increases General Fund by $104,197 to provide services and supplies for agency-wide expenses related to the newly established Compliance, Audit and Performance Division.

Package 808, Financial Management Augmentation. The purpose of this package is to augment staffing levels for budget, accounting, and procurement services, and to add staff responsible for the review of non-routine expenses. This package increases General Fund by $806,160 and includes a net establishment of four permanent full-time positions (3.88 FTE). Details of the specific position actions included in this package are as follows:

- Establish the following five permanent full-time positions:
  - Accountant 4 (1.00 FTE). This position is intended as a Fiscal Analyst 3; however, the classification is not available in the agency's current compensation plan. The position should be titled as a Fiscal Analyst 3 and reclassified as soon as the updated compensation plan is adopted by the Commission.
  - Accounting Technician 2 (0.88 FTE)
  - Program Analyst 1 (1.00 FTE)
  - Program Analyst 2 (1.00 FTE)
  - Program Analyst 3 (1.00 FTE)

- Establish the following limited duration full-time position:
  - Program Analyst 4 (1.00 FTE)
- Abolish the following two permanent full-time positions:
  - Position number 0004161, an Accounting Technician 3 (1.00 FTE)
  - Position number 4041909, an Operations and Policy Analyst 2 (1.00 FTE)
- Reclassify the following full-time position:
  - Position number 2310308, a permanent full-time Program Analyst 1 (1.00 FTE), shall be reclassified to a Program Analyst 4 (1.00 FTE) and converted from permanent to limited duration.

The package includes associated services and supplies for the positions; however, there is also a $250,000 General Fund reduction of professional services, leading to a net reduction of $132,245 General Fund for services and supplies.

Package 809, Base Information Technology. In December 2019, PDSC administratively decided to eliminate the agency's information technology capability and staffing. This purpose of this package is to re-establish an Information Technology Section for the agency by July 1, 2022. This package increases General Fund by $1,101,473 and authorizes establishment of the following four permanent full-time positions (2.89 FTE):

- One Chief Information Officer (0.88 FTE),
- One Information Systems Specialist 3 (0.63 FTE), and
- One Information Systems Specialist 2 (0.75 FTE)
- One Information Systems Specialist 2 (0.63 FTE).

The legislative expectation is that these positions will be subject to a competitive recruitment process. The package includes associated services and supplies to support the positions, as well as services and supplies funding for Information Technology professional services. Until June 30, 2022, the Commission may continue contracting with an external entity for contracted information technology services.

2019-21 Supplemental Budget

The Subcommittee recommended an increase of $3,782,000 General Fund for the Professional Services Account in the biennium ending June 30, 2021. This increase is intended for non-routine and court-mandated expenses.

Summary of Performance Measure Action

See attached Legislatively Adopted 2021-23 Key Performance Measures form.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Public Defense Services Commission
April McDonald -- 503-877-8125

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS LIMITED	OTHER FUNDS NONLIMITED	FEDERAL FUNDS LIMITED	FEDERAL FUNDS NONLIMITED	TOTAL ALL FUNDS	POS	FTE
2019-21 Legislatively Approved Budget at Jan. 2021*	$ 342,078,348	$ -	$ 13,586,941	$ -	$ -	$ -	$ 355,665,289	90	86.47
2021-23 Current Service Level (CSL)*	$ 396,803,692	$ -	$ 4,449,667	$ -	$ -	$ -	$ 401,253,359	79	78.80
SUBCOMMITTEE ADJUSTMENTS (from CSL)									
SCR 001 - Appellate Division									
Package 801: LFO Analyst Adjustments									
Personal Services	$ (22,944,360)	$ -	$ -	$ -	$ -	$ -	$ (22,944,360)	-56	-55.80
Services and Supplies	$ (3,990,954)	$ -	$ -	$ -	$ -	$ -	$ (3,990,954)		
SCR 002 - Professional Services Account									
Package 801: LFO Analyst Adjustments									
Services and Supplies	$ (360,887,469)	$ -	$ -	$ -	$ -	$ -	$ (360,887,469)		
Special Payments: 6198 Spc Pmt to Judicial Dept	$ -	$ -	$ (3,591,305)	$ -	$ -	$ -	$ (3,591,305)		
SCR 004 - Contract and Business Services Division									
Package 801: LFO Analyst Adjustments									
Personal Services	$ (6,487,538)	$ -	$ (858,122)	$ -	$ -	$ -	$ (7,345,660)	-23	-23.00
Services and Supplies	$ (2,493,371)	$ -	$ (240)	$ -	$ -	$ -	$ (2,493,611)		
SCR 100 - Executive Division									
Package 801: LFO Analyst Adjustments									
Personal Services	$ 1,873,424	$ -	$ -	$ -	$ -	$ -	$ 1,873,424	5	5.00
Services and Supplies	$ 535,536	$ -	$ -	$ -	$ -	$ -	$ 535,536		
Package 802: 2019-21 Interim Actions									
Personal Services	$ 450,248	$ -	$ -	$ -	$ -	$ -	$ 450,248	1	1.00
Services and Supplies	$ 11,444	$ -	$ -	$ -	$ -	$ -	$ 11,444		
Package 806: Deputy Director									
Personal Services	$ 708,251	$ -	$ -	$ -	$ -	$ -	$ 708,251	2	1.88
Services and Supplies	$ 21,458	$ -	$ -	$ -	$ -	$ -	$ 21,458		
SCR 200 - Compliance, Audit and Performance Division									
Package 801: LFO Analyst Adjustments									
Personal Services	$ 956,521	$ -	$ -	$ -	$ -	$ -	$ 956,521	2	2.00
Services and Supplies	$ 23,924	$ -	$ -	$ -	$ -	$ -	$ 23,924		
Package 802: 2019-21 Interim Actions									
Personal Services	$ 984,830	$ -	$ -	$ -	$ -	$ -	$ 984,830	2	2.00
Services and Supplies	$ 22,888	$ -	$ -	$ -	$ -	$ -	$ 22,888		
Package 805: External and Internal Auditing									
Personal Services	$ 484,492	$ -	$ -	$ -	$ -	$ -	$ 484,492	2	1.76
Services and Supplies	$ 370,028	$ -	$ -	$ -	$ -	$ -	$ 370,028		

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS LIMITED	OTHER FUNDS NONLIMITED	FEDERAL FUNDS LIMITED	FEDERAL FUNDS NONLIMITED	TOTAL ALL FUNDS	POS	FTE
Package 807: Compliance and Research Function									
Personal Services	$ 1,750,621	$ -	$ -	$ -	$ -	$ -	$ 1,750,621	7	5.51
Services and Supplies	$ 62,947	$ -	$ -	$ -	$ -	$ -	$ 62,947		
SCR 300 - Appellate Division									
Package 801: LFO Analyst Adjustments									
Personal Services	$ 22,944,360	$ -	$ -	$ -	$ -	$ -	$ 22,944,360	56	55.80
Services and Supplies	$ 1,572,218	$ -	$ -	$ -	$ -	$ -	$ 1,572,218		
Package 803: CSL Deficits									
Personal Services	$ 397,481	$ -	$ -	$ -	$ -	$ -	$ 397,481	1	1.00
Services and Supplies	$ 11,444	$ -	$ -	$ -	$ -	$ -	$ 11,444		
SCR 400 - Trial Criminal Division									
Package 801: LFO Analyst Adjustments									
Services and Supplies	$ 255,804,275	$ -	$ -	$ -	$ -	$ -	$ 255,804,275		
Package 803: CSL Deficits									
Services and Supplies	$ 905,645	$ -	$ -	$ -	$ -	$ -	$ 905,645		
Package 820: General Fund Holdback									
Services and Supplies	$ (70,250,989)	$ -	$ -	$ -	$ -	$ -	$ (70,250,989)		
SCR 425 - Non Routine Expenses									
Package 801: LFO Analyst Adjustments									
Services and Supplies	$ 62,751,518	$ -	$ -	$ -	$ -	$ -	$ 62,751,518		
Package 803: CSL Deficits									
Services and Supplies	$ (4,533,474)	$ -	$ -	$ -	$ -	$ -	$ (4,533,474)		
Package 820: General Fund Holdback									
Services and Supplies	$ (14,554,511)	$ -	$ -	$ -	$ -	$ -	$ (14,554,511)		
SCR 450 - Court Mandated Expenses									
Package 801: LFO Analyst Adjustments									
Services and Supplies	$ 20,025,025	$ -	$ 858,362	$ -	$ -	$ -	$ 20,883,387		
Special Payments: 6198 Spc Pmt to Judicial Dept	$ -	$ -	$ 3,591,305	$ -	$ -	$ -	$ 3,591,305		
Package 803: CSL Deficits									
Services and Supplies	$ (16,487)	$ -	$ -	$ -	$ -	$ -	$ (16,487)		
Package 820: General Fund Holdback									
Services and Supplies	$ (5,002,135)	$ -	$ -	$ -	$ -	$ -	$ (5,002,135)		
SCR 500 - Juvenile Division									
Package 801: LFO Analyst Adjustments									
Services and Supplies	$ 21,448,525	$ -	$ -	$ -	$ -	$ -	$ 21,448,525		

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS LIMITED	OTHER FUNDS NONLIMITED	FEDERAL FUNDS LIMITED	FEDERAL FUNDS NONLIMITED	TOTAL ALL FUNDS	POS	FTE
Package 802: 2019-21 Interim Actions									
Services and Supplies	$ (14,000,000)	$ -	$ 14,000,000	$ -	$ -	$ -	$ -		
Package 803: CSL Deficits									
Services and Supplies	$ 22,899,406	$ -	$ -	$ -	$ -	$ -	$ 22,899,406		
Package 804: PCRP Deficit									
Services and Supplies	$ 10,421,529	$ -	$ -	$ -	$ -	$ -	$ 10,421,529		
Package 820: General Fund Holdback									
Services and Supplies	$ (10,192,365)	$ -	$ -	$ -	$ -	$ -	$ (10,192,365)		
SCR 600 - Administrative Services Division									
Package 801: LFO Analyst Adjustments									
Personal Services	$ 4,515,715	$ -	$ -	$ -	$ -	$ -	$ 4,515,715	16	16.00
Services and Supplies	$ 4,352,651	$ -	$ -	$ -	$ -	$ -	$ 4,352,651		
Package 802: 2019-21 Interim Actions									
Personal Services	$ 1,511,511	$ -	$ -	$ -	$ -	$ -	$ 1,511,511	6	6.00
Services and Supplies	$ 7,179	$ -	$ -	$ -	$ -	$ -	$ 7,179		
Package 803: CSL Deficits									
Services and Supplies	$ 18,944	$ -	$ -	$ -	$ -	$ -	$ 18,944		
Package 805: External and Internal Auditing									
Services and Supplies	$ 33,154	$ -	$ -	$ -	$ -	$ -	$ 33,154		
Package 806: Deputy Director									
Services and Supplies	$ 35,521	$ -	$ -	$ -	$ -	$ -	$ 35,521		
Package 807: Compliance and Research Function									
Services and Supplies	$ 104,197	$ -	$ -	$ -	$ -	$ -	$ 104,197		
Package 808: Financial Management Augmentation									
Personal Services	$ 938,405	$ -	$ -	$ -	$ -	$ -	$ 938,405	4	3.88
Services and Supplies	$ (132,245)	$ -	$ -	$ -	$ -	$ -	$ (132,245)		

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS LIMITED	OTHER FUNDS NONLIMITED	FEDERAL FUNDS LIMITED	FEDERAL FUNDS NONLIMITED	TOTAL ALL FUNDS	POS	FTE
Package 809: Base Information Technology									
Personal Services	$ 944,787	$ -	$ -	$ -	$ -	$ -	$ 944,787	4	2.89
Services and Supplies	$ 156,686	$ -	$ -	$ -	$ -	$ -	$ 156,686		
TOTAL ADJUSTMENTS	$ (75,429,110)	$ -	$ 14,000,000	$ -	$ -	$ -	$ (61,429,110)	29	25.92
SUBCOMMITTEE RECOMMENDATION *	$ 321,374,582	$ -	$ 18,449,667	$ -	$ -	$ -	$ 339,824,249	108	104.72
% Change from 2019-21 Leg Approved Budget	-6.1%	0.0%	35.8%	0.0%	0.0%	0.0%	-4.5%	20.0%	21.1%
% Change from 2021-23 Current Service Level	-19.0%	0.0%	314.6%	0.0%	0.0%	0.0%	-15.3%	36.7%	32.9%

*Excludes Capital Construction Expenditures

EMERGENCY BOARD

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS LIMITED	OTHER FUNDS NONLIMITED	FEDERAL FUNDS LIMITED	FEDERAL FUNDS NONLIMITED	TOTAL ALL FUNDS	POS	FTE
Special Purpose Appropriation: General Fund hold-back	$ 100,000,000	$ -	$ -	$ -	$ -	$ -	$ 100,000,000		
SUBCOMMITTEE RECOMMENDATION	$ 100,000,000	$ -	$ -	$ -	$ -	$ -	$ 100,000,000		

2019-21 SUPPLEMENTAL BUDGET

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS LIMITED	OTHER FUNDS NONLIMITED	FEDERAL FUNDS LIMITED	FEDERAL FUNDS NONLIMITED	TOTAL ALL FUNDS	POS	FTE
SCR 002 - Professional Services Account									
Services and Supplies	$ 3,782,000	$ -	$ -	$ -	$ -	$ -	$ 3,782,000		
SUBCOMMITTEE RECOMMENDATION	$ 3,782,000	$ -	$ -	$ -	$ -	$ -	$ 3,782,000		

Legislatively Approved 2021 - 2023 Key Performance Measures

Published: 6/10/2021 4:48:38 PM

Agency: Public Defense Services Commission

Mission Statement:

Ensure the delivery of quality public defense services in Oregon in the most cost-efficient manner possible.

Legislatively Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2022	Target 2023
1. APPELLATE CASE PROCESSING - Median number of days to file opening brief.		Approved	217	180	180
2. CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Timeliness	Approved	78.89%	95%	95%
	Accuracy		88.76%	95%	95%
	Availability of Information		70.97%	95%	95%
	Overall		77.89%	95%	95%
	Helpfulness		88.89%	95%	95%
	Expertise		85.71%	95%	95%
3. BEST PRACTICES FOR BOARDS AND COMMISSIONS - Percentage of total best practices met by Commission.		Approved	100%	100%	100%
4. TRIAL LEVEL REPRESENTATION - During the term of the OPDS contract, percent of attorneys who obtain at least 12 hours per year of continuing legal education credit in the area(s) of law in which they provide public defense representation.[1] [1] Case types listed in the 2014-2015 Public Defense Legal Services Contract General Terms are: criminal cases, probation violations, contempt cases, civil commitment cases, juvenile cases, and other civil cases. (http://www.oregon.gov/OPDS/docs/CBS/ModelContractTerms/documents/ModKJan2014.pdf)		Approved	75%	90%	90%
5. PARENT CHILD REPRESENTATION PROGRAM (PCRP) - Percent of PCRP attorneys who report spending approximately 1/3 of their time meeting with court appointed clients in cases which the attorney represents a parent or child with decision-making capacity.[1] [1] For a discussion on determining decision-making capacity, see The Obligations of the Lawyer for Children in Child Protection Proceedings with Action Items and Commentary, Oregon State Bar, Report of the Task Force on Standards of Representation in Juvenile Dependency Cases (2014).		Approved	54%	95%	95%

LFO Recommendation:

Approve the existing Key Performance Measures, and the Key Performance Measure targets, identified in the above table, with the recommendation that the Commission be directed to work with the Legislative Fiscal Office to undertake a comprehensive review and restructuring of the Commission's KPMS, targets, and data to align with the new programmatic structure of the agency. Proposed KPM and target changes are to be submitted to the Legislature in 2023, based on the routine schedule for submission of KPM changes.

SubCommittee Action:

The Subcommittee approved the Legislative Fiscal Office recommendation.

CHAPTER 669

AN ACT HB 5006

Relating to state financial administration; creating new provisions; amending section 2, chapter 443, Oregon Laws 2021 (Enrolled Senate Bill 5544); and declaring an emergency.

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

SECTION 1. In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $50,000,000, for the purposes for which the Emergency Board lawfully may allocate funds.

SECTION 1a. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $198,000,000, to be allocated to state agencies for state employee compensation changes for the biennium beginning July 1, 2021.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 1b. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $20,000,000, to be allocated to state agencies for compensation changes driven by collective bargaining for workers who are not state employees.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 1c. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (6), chapter 606, Oregon Laws 2021 (Enrolled Senate Bill 5529), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021 (Enrolled Senate Bill 5529), collected or received by the Department of Human Services, for aging and people with disabilities programs, is increased by $1,813,619, for transfer of the Senior Health Insurance Benefits Assistance program from the Department of Consumer and Business Services.

SECTION 2. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 468, Oregon Laws 2021 (Enrolled House Bill 5004), for the biennium beginning July 1, 2021, 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 Department of Corrections, for central administration and administrative services, is increased by $262,227, for implementation of a VoIP communications system in 10 state prisons.

SECTION 3. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 468, Oregon Laws 2021 (Enrolled House Bill 5004), for the biennium beginning July 1, 2021, 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 Department of Corrections, for central administration and administrative services, is increased by $1,034,567, for the cost of bond issuance.

SECTION 4. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (5), chapter 468, Oregon Laws 2021 (Enrolled House Bill 5004), for the biennium beginning July 1, 2021, for debt service, is increased by $10,386,522.

SECTION 5. Notwithstanding any other law limiting expenditures, the amount of $700,870 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Corrections, for debt service.

SECTION 6. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 468, Oregon Laws 2021 (Enrolled House Bill 5004), for the biennium beginning July 1, 2021, 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 Department of Corrections, for operations and health services, is increased by $13,400,000, for implementation of an electronic health records system.

SECTION 7. Notwithstanding any other law limiting expenditures, the amount of $8,658,704

is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of Corrections from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Corrections, for information technology projects and equipment purchases.

SECTION 8. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Criminal Justice Commission by section 1, chapter 379, Oregon Laws 2021 (Enrolled House Bill 5005), for the biennium beginning July 1, 2021, is increased by $650,000, for the Family Preservation Project operated by the YWCA of Greater Portland.

SECTION 9. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter 427, Oregon Laws 2021 (Enrolled House Bill 5014), for the biennium beginning July 1, 2021, 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 Department of Justice, for the General Counsel Division, is increased by $447,784, for the Fair Housing Enforcement initiative.

SECTION 10. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1 (5), chapter 427, Oregon Laws 2021 (Enrolled House Bill 5014), for the biennium beginning July 1, 2021, for defense of criminal convictions, is increased by $1,649,318, for forecasted caseload expenses.

SECTION 11. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1 (4), chapter 427, Oregon Laws 2021 (Enrolled House Bill 5014), for the biennium beginning July 1, 2021, for crime victim and survivor services, is increased by $218,003, for appellate advocacy.

SECTION 12. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1 (3), chapter 427, Oregon Laws 2021 (Enrolled House Bill 5014), for the biennium beginning July 1, 2021, for the Criminal Justice Division, is increased by $214,439, for internet crimes against children investigations and prosecutions.

SECTION 13. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Justice, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $5,000,000, for crime victim and survivor services, to assist victims of domestic violence and sexual assault with housing needs.

SECTION 14. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 662, Oregon Laws 2021 (Enrolled Senate Bill 5535), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in section 2, chapter 662, Oregon Laws 2021 (Enrolled Senate Bill 5535), collected or received by the Oregon Military Department, for operations, is increased by $274,160, for the cost of bond issuance.

SECTION 15. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 662, Oregon Laws 2021 (Enrolled Senate Bill 5535), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in section 2, chapter 662, Oregon Laws 2021 (Enrolled Senate Bill 5535), collected or received by the Oregon Military Department, for emergency management, is increased by $210,000, for the cost of bond issuance.

SECTION 16. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (5), chapter 662, Oregon Laws 2021 (Enrolled Senate Bill 5535), for the biennium beginning July 1, 2021, for debt service, is increased by $2,151,329.

SECTION 17. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 662, Oregon Laws 2021 (Enrolled Senate Bill 5535), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in section 2, chapter 662, Oregon Laws 2021 (Enrolled Senate Bill 5535), collected or received by the Oregon Military Department, for emergency management, is increased by $10,000,000, for recapitalization of the State Preparedness and Incident Response Equipment Grant Program.

SECTION 18. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 470,

Oregon Laws 2021 (Enrolled House Bill 5028), for the biennium beginning July 1, 2021, 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 Department of State Police, for administrative services, agency support and criminal justice information services, is increased by $1,429,311, for the cost of bond issuance.

SECTION 19. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of State Police, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $2,674,818, for debt service.

SECTION 20. Notwithstanding any other law limiting expenditures, the amount of $2,739,772 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of State Police from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of State Police, for deferred maintenance, capital project costs and safety improvements.

SECTION 21. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 430, Oregon Laws 2021 (Enrolled House Bill 5039), for the biennium beginning July 1, 2021, 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 Oregon Youth Authority, for facility programs, is increased by $1,158,492, for the cost of bond issuance.

SECTION 22. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 430, Oregon Laws 2021 (Enrolled House Bill 5039), for the biennium beginning July 1, 2021, 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 Oregon Youth Authority, for program support, is increased by $113,469, for the cost of bond issuance.

SECTION 23. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Youth Authority by section 1 (6), chapter 430, Oregon Laws 2021 (Enrolled House Bill 5039), for the biennium beginning July 1, 2021, for debt service, is increased by $4,482,262.

SECTION 24. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 430, Oregon Laws 2021 (Enrolled House Bill 5039), for the biennium beginning July 1, 2021, 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 Oregon Youth Authority, for program support, is increased by $7,756,351, for the Juvenile Justice Information System upgrade project.

SECTION 25. Notwithstanding any other law limiting expenditures, the amount of $5,448,068 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Oregon Youth Authority from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Oregon Youth Authority, for capital improvements and the Juvenile Justice Information System upgrade project.

SECTION 26. Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 1 (1), chapter 557, Oregon Laws 2021 (Enrolled House Bill 5012), for the biennium beginning July 1, 2021, for judicial compensation, is increased by $721,500, to support the two circuit court judge positions established by the amendments to ORS 3.012 by section 8, chapter 678, Oregon Laws 2021 (Enrolled House Bill 3011).

SECTION 27. Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 1 (2), chapter 557, Oregon Laws 2021 (Enrolled House Bill 5012), for the biennium beginning July 1, 2021, for operations, is increased by $867,280, for administrative support for the two circuit court judge positions established by the amendments to ORS 3.012 by section 8, chapter 678, Oregon Laws 2021 (Enrolled House Bill 3011).

SECTION 28. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 303, Oregon Laws 2019, for the biennium ending June 30, 2021, 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 Public Defense Services Commission, for professional services, is increased by $92,721, for expenditure of Coronavirus Relief Fund moneys received by the Oregon Department of Administrative Services and transferred to the Public Defense Service Commission for

professional services related to public defense due to increasing needs resulting from the effects of the COVID-19 pandemic.

SECTION 29. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 503, Oregon Laws 2021 (Enrolled Senate Bill 5510), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from federal funds, collected or received by the Department of Consumer and Business Services, for the health insurance marketplace, is decreased by $1,813,619, for the Senior Health Insurance Benefits Assistance Program.

SECTION 30. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 145, Oregon Laws 2021 (Enrolled Senate Bill 5536), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Public Employees Retirement System for the Employer Incentive Fund, is increased by $16,792,238, for state matching funds.

NOTE: Sections 31 through 33 were deleted. Subsequent sections were not renumbered.

SECTION 34. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $10,000,000, to be allocated to state agencies for family treatment court programs.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 35. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $2,500,000, to be allocated for the implementation of pretrial release under chapter 643, Oregon Laws 2021 (Enrolled Senate Bill 48).

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 36. Notwithstanding any other law limiting expenditures, the amount of $330 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, corporate activity tax funds and federal funds, collected or received by the Department of Education, for debt service.

SECTION 37. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 1, chapter 289, Oregon Laws 2021 (Enrolled Senate Bill 5514), for the biennium beginning July 1, 2021, for the State School Fund, is decreased by $27,849,006.

SECTION 38. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 289, Oregon Laws 2021 (Enrolled Senate Bill 5514), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Department of Education for the State School Fund, is increased by $219,059,876.

NOTE: Section 39 was deleted. Subsequent sections were not renumbered.

SECTION 40. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 289, Oregon Laws 2021 (Enrolled Senate Bill 5514), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of Education from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the department for the State School Fund from the Fund for Student Success established under ORS 327.001, is increased by $8,789,130.

SECTION 41. Notwithstanding any other law limiting expenditures, the amount of $125,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from proceeds of Article XI-P bonds and other revenues, including Miscellaneous Receipts, but excluding lottery funds, corporate activity tax funds and federal funds, collected or received by the Department of Education, for matching grants made to school districts for construction or improvement to school facilities through the Oregon School Capital Improvement Matching Program.

SECTION 42. Notwithstanding any other law limiting expenditures, the amount of $17,500,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, corporate activity tax funds and federal funds, collected or received by the Department of Education, for broadband Connecting Oregon Schools grants.

SECTION 43. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (2), chapter 603, Oregon Laws 2021 (Enrolled Senate Bill 5513), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses, other than expenses described in sections 6 and 14, chapter 603, Oregon Laws 2021 (Enrolled Senate Bill 5513), from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, corporate activity tax funds and federal funds, collected or received by the Department of Education, for operations, is increased by $1,459,142 for costs of issuance of general obligation bonds and lottery bonds.

SECTION 44. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 4, chapter 603, Oregon Laws 2021 (Enrolled Senate Bill 5513), for the biennium beginning July 1, 2021, for debt service on general obligation bonds, is increased by $666,308 for debt service for projects at the Oregon School for the Deaf.

SECTION 45. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (8), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for public university statewide programs, is decreased by $103,420,570, for a technical adjustment.

SECTION 46. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (9), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for statewide public services, is increased by $103,420,570, for a technical adjustment.

SECTION 47. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Higher Education Coordinating Commission from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Higher Education Coordinating Commission for the following purposes:

(1) $636,812, for distribution to Umpqua Community College for land movement reparation.

(2) $3,500,000, for distribution to Southern Oregon University for the demolition of Cascades Hall.

SECTION 48. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (9), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for statewide public services, is increased by $150,000 for the North Willamette Research and Extension Center's berry research initiative.

SECTION 49. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (8), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for public university statewide programs, is increased by $427,083 for costs related to avian deaths and energy facilities.

SECTION 50. Notwithstanding any other law limiting expenditures, the amount of $530,575 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Higher Education Coordinating Commission, for debt service on general obligation bonds issued on behalf of community colleges.

SECTION 51. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (10)(a), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for debt service on outstanding general obligation sold for the benefit of Oregon public universities, is increased by $773,239.

SECTION 52. In addition to and not in lieu of any other appropriation, there is appropriated to the Higher Education Coordinating Commission, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $867,805, for debt service on general obligation bonds sold for the Financial Assistance Management Information System.

SECTION 53. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6 (1), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds and funds described in sections 8 to 12, chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), collected or received by the Higher Education Coordinating Commission, for programs and related grants, is increased by $7,003,106 for costs of bonds issuance.

SECTION 54. Notwithstanding any other law limiting expenditures, the amount of $5,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from the proceeds of bonds issued pursuant to Article XI-Q of the Oregon Constitution, collected or received by the Higher Education Coordinating Commission, for the Financial Assistance Management Information System.

SECTION 55. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Justice, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $1,269,000, for the Crime Victim and Survivor Services Division, for the Oregon Crime Victims Law Center.

SECTION 56. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Justice, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $2,000,000, for the Office of the Attorney General and administration, for bias crimes response.

SECTION 57. Notwithstanding any other law limiting expenditures, the amount of $250,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Judicial Department from the Oregon Courthouse Capital Construction and Improvement Fund for the cost of issuing general obligation bonds for the Supreme Court building renovation.

SECTION 58. Notwithstanding any other law limiting expenditures, the amount of $20,730,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Judicial Department from the Oregon Courthouse Capital Construction and Improvement Fund for the project costs of, and cost of issuing general obligation bonds for, the Benton County Courthouse.

SECTION 59. Notwithstanding any other law limiting expenditures, the amount of $20,383,129 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Judicial Department from the Oregon Courthouse Capital Construction and Improvement Fund for local matching funds for the Benton County Courthouse.

SECTION 60. Notwithstanding any other law limiting expenditures, the amount of $1 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Judicial Department from the Oregon Courthouse Capital Construction and Improvement Fund for the project costs of, and cost of issuing general obligation bonds for, the Clackamas County Courthouse.

SECTION 61. Notwithstanding any other law limiting expenditures, the amount of $1 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Judicial Department from the Oregon Courthouse Capital Construction and Improvement Fund for local matching funds for the Clackamas County Courthouse.

SECTION 62. Notwithstanding any other law limiting expenditures, the amount of $11,885,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Judicial Department from the Oregon Courthouse Capital Construction and Improvement Fund for the project costs of, and cost of issuing general obligation bonds for, the Crook County Courthouse.

SECTION 63. Notwithstanding any other law limiting expenditures, the amount of $11,700,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Judicial Department from the Oregon Courthouse Capital Construction and Improvement Fund for local matching funds for the Crook County Courthouse.

SECTION 64. Notwithstanding any other law limiting expenditures, the amount of $16,110,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Judicial Department from the Oregon Courthouse Capital Construction and Improvement Fund for the project costs of, and cost of issuing general obligation bonds for, the Linn County Courthouse.

SECTION 65. Notwithstanding any other law limiting expenditures, the amount of $15,900,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Judicial Department from the Oregon Courthouse Capital Construction and Improvement Fund for local matching funds for the Linn County Courthouse.

SECTION 66. Notwithstanding any other law limiting expenditures, the amount of $169,827 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Judicial Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Judicial Department, for planning and costs associated with replacement of the Crook County Courthouse.

SECTION 67. Notwithstanding any other law limiting expenditures, the amount of $3,500,000

is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Judicial Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Judicial Department, for planning and costs associated with replacement of the Curry County Courthouse.

SECTION 68. Notwithstanding any other law limiting expenditures, the amount of $5,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Judicial Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Judicial Department, for the Supreme Court building renovation.

SECTION 69. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Watershed Enhancement Board, for the biennium beginning July 1, 2021, out of the General Fund, the following amounts for the following purposes:

(1)	Grants for riparian and upland restoration and protection of water quality.....	$ 10,750,000
(2)	Grants for floodplain restoration and reconnection....	$ 5,000,000
(3)	Grant to Eugene Water and Electric Board for restoration and targeted acquisition of high-priority McKenzie riparian/floodplain properties.....	$ 4,000,000
(4)	Operational and administrative costs.....	$ 670,000

SECTION 70. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (12), chapter 425, Oregon Laws 2021 (Enrolled House Bill 5002), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys, or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter 425, Oregon Laws 2021 (Enrolled House Bill 5002), collected or received by the Oregon Department of Administrative Services, for Oregon Department of Administrative Services debt service, is increased by $7,884,472.

SECTION 71. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter 425, Oregon Laws 2021 (Enrolled House Bill 5002), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys, or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter 425, Oregon Laws 2021 (Enrolled House Bill 5002), collected or received by the Oregon Department of Administrative Services, for enterprise asset management, is increased by $1,800,000 for bond issuance costs associated with bonds issued under Article XI-Q of the Oregon Constitution.

SECTION 72. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (15), chapter 425, Oregon Laws 2021 (Enrolled House Bill 5002), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys, or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter 425, Oregon Laws 2021 (Enrolled House Bill 5002), collected or received by the Oregon Department of Administrative Services, for special governmental payments, is increased by $6,394,311.

SECTION 73. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3, chapter 425, Oregon Laws 2021 (Enrolled House Bill 5002), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Oregon Department of Administrative Services from lottery moneys allocated from the Administrative Services Economic Development Fund for debt service and related costs for bonds issued in previous biennia, is increased by $4,615,761.

SECTION 74. Notwithstanding any other law limiting expenditures, the amount of $240,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Oregon Department of Administrative Services from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services, for the purpose of allocating $4,000,000 to each member of the Senate and $2,000,000 to each member of the House of Representatives to provide grants to respond to the COVID-19 public health emergency and its economic impacts.

SECTION 75. Notwithstanding any other law limiting expenditures, the amount of $120,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Oregon Department of Administrative Services from American Rescue Plan Act Capital Projects Fund moneys received by the Oregon Department of Administrative Services, for the purpose of transfer to the Oregon

Business Development Department for deposit in the Broadband Fund established by section 4, chapter 17, Oregon Laws 2020 (first special session).

SECTION 76. Notwithstanding any other law limiting expenditures, the amount of $1,950,127,815 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Oregon Department of Administrative Services from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services, for expenditures and activities to respond to the COVID-19 public health emergency and its economic impacts.

SECTION 77. Notwithstanding any other law limiting expenditures, the amount of $3,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Oregon Department of Administrative Services from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services, for the second phase of the Facility for Agricultural Resource Management project.

SECTION 78. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Department of Administrative Services by section 1 (4), chapter 425, Oregon Laws 2021 (Enrolled House Bill 5002), for the biennium beginning July 1, 2021, for the Oregon Historical Society, is increased by $1,500,000.

SECTION 79. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Department of Administrative Services by section 1 (2), chapter 425, Oregon Laws 2021 (Enrolled House Bill 5002), for the biennium beginning July 1, 2021, for court appointed special advocates, is increased by $2,779,673 for the CASA Volunteer Program.

SECTION 80. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Department of Administrative Services by section 1 (2), chapter 425, Oregon Laws 2021 (Enrolled House Bill 5002), for the biennium beginning July 1, 2021, for court appointed special advocates, is increased by $250,000 to be distributed to the Oregon CASA Network to create and implement a statewide distance training and learning program for the CASA Volunteer Program.

SECTION 81. Notwithstanding any other law limiting expenditures, the amount of $65,476,928 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Oregon Department of Administrative Services from Coronavirus Aid, Relief, and Economic Security Act Coronavirus Relief Fund moneys received by the Oregon Department of Administrative Services, for expenditures and activities to respond to the COVID-19 public health emergency and its economic impacts.

SECTION 82. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Department of Administrative Services by section 1 (1), chapter 425, Oregon Laws 2021 (Enrolled House Bill 5002), for the biennium beginning July 1, 2021, for the Chief Operating Office, is increased by $3,765,271 for a disparity study to improve state procurement practices.

NOTE: Section 83 was deleted. Subsequent sections were not renumbered.

SECTION 84. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium beginning July 1, 2021, out of the General Fund, the following amounts for the following purposes:

(1)	Fair Housing Council of Oregon for a collaborative housing partnership	$ 2,500,000
(2)	Oregon Law Center for legal help related to housing issues	$ 1,000,000
(3)	Mid-Columbia Community Action Council for a navigation center	$ 1,500,000
(4)	Special Olympics Oregon for a sports training and athletic competition	$ 500,000
(5)	Friends of Tryon Creek State Park for park improvements	$ 250,000
(6)	Multnomah County School District for Reynolds High School Health Center	$ 2,302,052
(7)	Umatilla County Jail for expansion/mental health facility	$ 1,785,000
(8)	City of Spray for EMS Complex	$ 280,000
(9)	Illinois Valley Wellness Resources for Illinois Valley Shelter and Resource Center	$ 630,000
(10)	Council on Aging of Central Oregon for Central Oregon Senior Services Center renovation	$ 250,000
(11)	City of Depoe Bay for restoration of pilings and docks	$ 1,885,178
(12)	City of John Day for Kam Wah Chung Interpretive Center	$ 1,000,000
(13)	Harney County for communication upgrade	$ 1,546,000
(14)	Grant County for public safety network	$ 650,000
(15)	Project DOVE for transitional	

units updates ..... $ 200,000
(16) Sheridan School District for CTEC West ..... $ 1,900,000
(17) High Desert Rangeland Fire Protection Association for Lake County wildland fire needs ..... $ 500,000
(18) Bowman Museum for exhibits center ..... $ 150,000
(19) Creating Housing Coalition for Hub City Village ..... $ 600,000
(20) Vietnam War Memorial Fund for Vietnam War Memorial on the Oregon State Capitol grounds... $ 400,000
(21) City of Mosier for Mosier Center ..... $ 750,000
(22) Oregon Humane Society for New Road Ahead Animal Crimes Forensic Center ..... $ 520,000
(23) McKenzie Valley Wellness for McKenzie Valley Health Clinic replacement ..... $ 1,800,000
(24) Bend-Redmond Habitat for Humanity for Quince Townhome project ..... $ 1,600,000
(25) City of Turner for Ball Brothers seismic upgrade ..... $ 500,000
(26) The Trust for Public Land for Butte Falls Community Forest project ..... $ 700,000
(27) Blue River Community Library for rebuild project ..... $ 1,400,000
(28) McKenzie Fire and Rescue for Disaster Relief Logistics Center ..... $ 903,520
(29) United Way of Jackson County for affordable home ownership ..... $ 200,000
(30) Community Counseling Solutions for Boardman Regional PRTS/subacute children's facility ..... $ 1,400,000
(31) City of Umatilla for Minority Entrepreneurial Development and Business Center ..... $ 1,800,000
(32) Molalla Rural Fire Protection District for wildland fire protection ..... $ 385,000
(33) Upper McKenzie Rural Fire Protection District for facility and equipment replacement ..... $ 2,100,000
(34) City of Salem for a turnkey project ..... $ 800,000
(35) City of Salem for police body cameras ..... $ 816,000
(36) City of Salem for a housing assistance voucher program ..... $ 1,000,000
(37) City of Salem for shelters ..... $ 10,500,000
(38) Multnomah County for the Arbor Lodge Shelter ..... $ 5,000,000
(39) Cherriots to offset expiring tax credits ..... $ 5,928,184
(40) Yamhill County Transit to offset expiring tax credits ..... $ 718,079
(41) Columbia County Rider Transportation to offset expiring tax credits ..... $ 288,451
(42) Lebanon Transportation to offset expiring tax credits ..... $ 44,975
(43) Jackson County Fire District for firefighter apprentices ..... $ 2,000,000
(44) Clackamas Fire District for firefighter apprentices ..... $ 2,000,000
(45) Eugene Springfield Fire Department for firefighter apprentices ..... $ 2,000,000

SECTION 85. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2021, as the maximum limits for payment of expenses from proceeds of lottery bonds, collected or received by the Oregon Department of Administrative Services, for the provision of grants to the following entities for the following purposes:

(1) Center for Hope and Safety for Hope Plaza ..... $ 7,626,692
(2) City of Gresham for Gradin Community Sports Park ..... $ 2,044,943
(3) Eugene Family YMCA Facility.. $ 15,211,079
(4) Jefferson County for Jefferson County Health and Wellness Center ..... $ 5,510,987
(5) Oregon Coast Aquarium ..... $ 5,106,840
(6) Parrott Creek Child and Family Services for building renovation ..... $ 3,552,061
(7) Port of Cascade Locks for business park expansion ..... $ 2,445,033
(8) Klamath County for Klamath Crimson Rose ..... $ 12,194,093
(9) Latino Network for La Plaza Esperanza ..... $ 4,056,571
(10) Willamette ESD for Willamette Career Academy ..... $ 7,040,791
(11) City of Eugene for Downtown Riverfront Park development ... $ 5,107,713
(12) Woodburn Community Center .. $ 15,210,747
(13) Rogue River School District for Rogue River Wimer Wellness Center ..... $ 3,048,464
(14) East Lincoln County Fire and Rescue for Eddyville Fire Hall.. $ 4,056,571
(15) Greater Toledo Aquatic and Community Center ..... $ 3,048,464
(16) Multnomah County for behavioral health resource center ..... $ 10,177,681
(17) City of North Plains for public works/emergency operations center ..... $ 5,107,713
(18) City of John Day for Central Grant County Aquatics Center. $ 2,042,509
(19) Family Justice Center of Washington County for Family Peace Center ..... $ 6,367,073
(20) Corvallis Homeless Shelter Coalition for Project Turnkey Corvallis (PSH housing project) ..... $ 5,107,713
(21) Wasco County for Columbia Gorge Resolution Center ..... $ 4,563,260
(22) Port of Portland for PDX seismically resilient runway engineering design ..... $ 4,056,571

(23)	Willamette Falls Locks and Canal	$ 7,373,441
(24)	City of Phoenix for public safety building	$ 13,804,536
(25)	Mid-Willamette Family YMCA for Multipurpose sports field complex	$ 4,639,489
(26)	Serendipity Center for Believe In Me Campus Expansion	$ 2,849,500
(27)	OMSI District for new Water Avenue	$ 5,107,713
(28)	City of Lincoln City for D River welcome center	$ 2,546,796
(29)	Port of Morrow for workforce center	$ 4,359,110
(30)	City of Redmond for public safety/mental health triage center	$ 3,048,464

SECTION 86. Notwithstanding any other provision of law, the General Fund appropriation made to the Secretary of State by section 1 (2), chapter 505, Oregon Laws 2021 (Enrolled Senate Bill 5538), for the biennium beginning July 1, 2021, for the Elections Division, is increased by $2,474,287 for a county elections infrastructure.

SECTION 87. Notwithstanding any other provision of law, the General Fund appropriation made to the State Department of Geology and Mineral Industries by section 1, chapter 5, Oregon Laws 2021 (Enrolled House Bill 5010), for the biennium beginning July 1, 2021, for operations of the department, is increased by $328,710.

SECTION 88. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 5, Oregon Laws 2021 (Enrolled House Bill 5010), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds for contract services, but excluding lottery funds and federal funds not described in section 2, chapter 5, Oregon Laws 2021 (Enrolled House Bill 5010), collected or received by the State Department of Geology and Mineral Industries, for geologic survey, is decreased by $173,464.

SECTION 89. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3, chapter 5, Oregon Laws 2021 (Enrolled House Bill 5010), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from federal funds other than those described in section 2, chapter 5, Oregon Laws 2021 (Enrolled House Bill 5010), collected or received by the State Department of Geology and Mineral Industries, is decreased by $155,246.

SECTION 90. Notwithstanding any other provision of law, the General Fund appropriation made to the State Department of Agriculture by section 1 (2), chapter 600, Oregon Laws 2021 (Enrolled Senate Bill 5502), for the biennium beginning July 1, 2021, for food safety, is increased by $200,000, for the predator control program.

SECTION 91. Notwithstanding any other provision of law, the General Fund appropriation made to the State Department of Agriculture by section 1 (3), chapter 600, Oregon Laws 2021 (Enrolled Senate Bill 5502), for the biennium beginning July 1, 2021, for natural resources, is increased by $2,301,685, for agriculture water quality and the plant protection and conservation program.

SECTION 92. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Criminal Justice Commission, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $10,000,000, for deposit into the Improving People's Access to Community-based Treatment, Supports and Services Account established by ORS 430.233.

SECTION 93. Notwithstanding any other law limiting expenditures, the amount of $10,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Oregon Criminal Justice Commission from the Improving People's Access to Community-based Treatment, Supports and Services Account established by ORS 430.233, for making grants to counties and federally recognized Indian tribes for community supports and services for individuals with mental health or substance abuse disorders leading to their involvement with the criminal justice system.

SECTION 94. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Criminal Justice Commission by section 1, chapter 379, Oregon Laws 2021 (Enrolled House Bill 5005), for the biennium beginning July 1, 2021, is increased by $500,000, for the Legal Services Pilot Program at the Coffee Creek Correctional Facility operated by the Oregon Justice Resource Center.

SECTION 95. Notwithstanding any other law limiting expenditures, the amount of $49,173,337 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of Corrections from Coronavirus Aid, Relief, and Economic Security Act Coronavirus Relief Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Corrections, for the purpose of expenditures and activities to respond to the COVID-19 public health emergency.

SECTION 96. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (1), chapter 468, Oregon Laws 2021 (Enrolled House Bill 5004), for the biennium beginning July 1, 2021, for operations and health services, is decreased by $49,173,337.

SECTION 97. Notwithstanding any other law limiting expenditures, the amount of $1,201,239 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of Public Safety Standards and Training from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Public Safety Standards and Training, for deferred maintenance projects.

SECTION 98. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (2), chapter 662, Oregon Laws 2021 (Enrolled Senate Bill 5535), for the biennium beginning July 1, 2021, for operations, is increased by $6,720,919, for deferred maintenance projects.

SECTION 99. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (2), chapter 662, Oregon Laws 2021 (Enrolled Senate Bill 5535), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from federal funds, other than those described in section 2, chapter 662, Oregon Laws 2021 (Enrolled Senate Bill 5535), collected or received by the Oregon Military Department, for operations, is increased by $6,720,919, for deferred maintenance projects.

SECTION 100. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Youth Authority by section 1 (2), chapter 430, Oregon Laws 2021 (Enrolled House Bill 5039), for the biennium beginning July 1, 2021, for community programs, is increased by $574,510, for providers of behavioral health services that include sex offense treatment services.

SECTION 101. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Youth Authority by section 1 (4), chapter 430, Oregon Laws 2021 (Enrolled House Bill 5039), for the biennium beginning July 1, 2021, for juvenile crime prevention/diversion, is increased by $1,841,868, to reimburse counties for the cost of expunging certain juvenile records.

SECTION 102. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Youth Authority by section 1 (1), chapter 430, Oregon Laws 2021 (Enrolled House Bill 5039), for the biennium beginning July 1, 2021, for facility programs, is increased by $801,378, to offset the elimination of fees, fines and court costs associated with juvenile delinquency matters.

SECTION 103. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (1), chapter 606, Oregon Laws 2021 (Enrolled Senate Bill 5529), for the biennium beginning July 1, 2021, for central services, is increased by $76,488,018, for feeding and sheltering of wildfire survivors.

SECTION 104. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (3), chapter 606, Oregon Laws 2021 (Enrolled Senate Bill 5529), for the biennium beginning July 1, 2021, for self-sufficiency programs, is increased by $5,810,000, for anti-hunger programs.

SECTION 105. Notwithstanding any other law limiting expenditures, the amount of $14,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of Human Services from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Human Services, for emergency food supply stabilization.

SECTION 106. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Justice, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $6,000,000, for the Crime Victim and Survivor Services Division, for child abuse intervention centers.

SECTION 107. In addition to and not in lieu of any other appropriation, there is appropriated to the State Department of Energy, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $10,000,000, for deposit into the Rooftop Solar Incentive Fund established by section 3, chapter 655, Oregon Laws 2019.

SECTION 108. Notwithstanding any other law limiting expenditures, the amount of $10,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the State Department of Energy for the solar rebate program from the Rooftop Solar Incentive Fund established by section 3, chapter 655, Oregon Laws 2019.

SECTION 109. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 423, Oregon Laws 2021 (Enrolled Senate Bill 5515), for the biennium beginning July 1, 2021, 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 Department of Energy is increased by $247,974, for a study on small scale renewable energy projects.

SECTION 110. In addition to and not in lieu of any other appropriation, there is appropriated to the State Department of Energy, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $3,500,000, for debt service for the Small Scale Local Energy Project Loan Program.

SECTION 111. In addition to and not in lieu of any other appropriation, there is appropriated to the State Department of Energy, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $10,831,296, for a grant program to incentivize energy efficient rebuilding after the 2020 wildfires.

SECTION 112. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Environmental Quality, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $350,000, to begin initial scoping and design of a database framework of water and infrastructure data.

SECTION 113. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Environmental Quality by section 1 (2), chapter 673, Oregon Laws 2021 (Enrolled Senate Bill 5516), for the biennium beginning July 1, 2021, for water quality, is increased by $420,099, to backfill a revenue shortfall in the program.

SECTION 114. Notwithstanding any other law limiting expenditures, the amount of $15,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of Environmental Quality from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Environmental Quality, for providing financial assistance to public agencies or qualified institutions for the repair, replacement, upgrade or evaluation of residential or other on-site septic systems.

SECTION 115. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Environmental Quality by section 1 (2), chapter 673, Oregon Laws 2021 (Enrolled Senate Bill 5516), for the biennium beginning July 1, 2021, for water quality, is increased by $569,382, for administration of financial assistance for on-site septic systems.

SECTION 116. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Environmental Quality, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $3,000,000, for hazardous waste and structural debris cleanup cost sharing related to the 2020 wildfires.

SECTION 117. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Environmental Quality by section 1 (5), chapter 673, Oregon Laws 2021 (Enrolled Senate Bill 5516), for the biennium beginning July 1, 2021, for debt service, is increased by $395,030.

SECTION 118. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 673, Oregon Laws 2021 (Enrolled Senate Bill 5516), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, the proceeds of bonds for the Orphan Site Account and federal funds from congestion mitigation and air quality grants, drinking water protection, laboratory accreditation and woodstove grants and for smoke monitoring laboratory services, but excluding lottery funds and federal funds not described in section 2, chapter 673, Oregon Laws 2021 (Enrolled Senate Bill 5516), collected or received by the Department of Environmental Quality, for land quality, is increased by $4,300,000, for project costs and for the cost of issuing bonds for orphan site cleanup projects.

SECTION 119. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (5), chapter 673, Oregon Laws 2021 (Enrolled Senate Bill 5516), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, the proceeds of bonds for the Orphan Site Account and federal funds from congestion mitigation and air quality grants, drinking water protection, laboratory accreditation and woodstove grants and for smoke monitoring laboratory services, but excluding lottery funds and federal funds not described in section 2, chapter 673, Oregon Laws 2021 (Enrolled Senate Bill 5516), collected or received by the Department of Environmental Quality, for debt service, is decreased by $300,000.

SECTION 120. In addition to and not in lieu of any other appropriation, there is appropriated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $545,000, for deposit into the Oregon Conservation and Recreation Fund established by section 1 (1), chapter 531, Oregon Laws 2019.

SECTION 121. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 679, Oregon Laws 2021 (Enrolled House Bill 5009), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the Pacific Coastal Salmon Recovery Fund, but excluding lottery funds and federal funds not described in section 2, chapter 679, Oregon Laws 2021 (Enrolled House Bill 5009), collected or received by the State Department of Fish and Wildlife, for the Wildlife Division, is increased by $1,090,000 for the conservation and recreation program.

SECTION 122. Notwithstanding any other provision of law, the General Fund appropriation made to the State Department of Fish and Wildlife by section 1 (2), chapter 679, Oregon Laws 2021 (Enrolled House Bill 5009), for the biennium beginning July 1, 2021, for the Wildlife Division, is increased by $200,000, for the predator control program.

SECTION 123. Notwithstanding any other provision of law, the General Fund appropriation made to the State Department of Fish and Wildlife by section 1 (4), chapter 679, Oregon Laws 2021 (Enrolled House Bill 5009), for the biennium beginning July 1, 2021, for debt service, is increased by $446,579.

SECTION 124. Notwithstanding any other law limiting expenditures, the amount of $105,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the State Department of Fish and Wildlife, for bond issuance costs associated with bonds issued under Article XI-Q of the Oregon Constitution.

SECTION 125. Notwithstanding any other law limiting expenditures, the amount of $5,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the State Department of Fish and Wildlife from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the State Department of Fish and Wildlife, for fish screens and fish passage projects.

SECTION 126. Notwithstanding any other law limiting expenditures, the amount of $4,245,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in this section, collected or received by the Department of Revenue, for core systems replacement, for the purposes of implementing the Electronic Valuation Information System (ELVIS).

SECTION 127. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Revenue by section 1 (7), chapter 441, Oregon Laws 2021 (Enrolled Senate Bill 5537), for the biennium beginning July 1, 2021, for debt service and related costs, is increased by $672,270, for the purposes of implementing the Electronic Valuation Information System (ELVIS).

SECTION 128. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Revenue by section 1 (3), chapter 441, Oregon Laws 2021 (Enrolled Senate Bill 5537), for the biennium beginning July 1, 2021, for the Personal Tax and Compliance Division, is increased by $397,011, for implementing provisions of chapter 525, Oregon Laws 2021 (Enrolled House Bill 2433).

SECTION 129. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Revenue by section 1 (3), chapter 441, Oregon Laws 2021 (Enrolled Senate Bill 5537), for the biennium beginning July 1, 2021, for the Personal Tax and Compliance Division, is increased by $438,569, for implementing provisions of chapter 589, Oregon Laws 2021 (Enrolled Senate Bill 727).

SECTION 130. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Revenue by section 1 (3), chapter 441, Oregon Laws 2021 (Enrolled Senate Bill 5537), for the biennium beginning July 1, 2021, for the Personal Tax and Compliance Division, is increased by $161,387, for implementing provisions of chapter 570, Oregon Laws 2021 (Enrolled Senate Bill 139).

SECTION 131. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Revenue by section 1 (1), chapter 441, Oregon Laws 2021 (Enrolled Senate Bill 5537), for the biennium beginning July 1, 2021, for administration, is increased by $292,002, for administrative support.

SECTION 132. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter 606, Oregon Laws 2021 (Enrolled Senate Bill 5529), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021 (Enrolled Senate Bill 5529), collected or received by the Department of Human Services, for aging and people with disabilities programs, is increased by $99,503, for staffing the Senior Emergency Medical Services Innovation Program.

SECTION 133. Notwithstanding any other provision of law, the General Fund appropriation made to the State Department of Fish and Wildlife by section 1 (7), chapter 679, Oregon Laws 2021 (Enrolled House Bill 5009), for the biennium beginning July 1, 2021, for the Habitat Division, is increased by $585,056 for the Western Oregon Stream Restoration Program.

SECTION 134. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Land Conservation and Development by section 1 (1), chapter 438, Oregon Laws 2021 (Enrolled Senate Bill 5530), for the biennium beginning July 1, 2021, for the planning program, is increased by $205,418 for grant coordination.

SECTION 135. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Land Conservation and Development by section 1 (2), chapter 438, Oregon Laws 2021 (Enrolled Senate Bill 5530), for the biennium beginning July 1, 2021, for grant programs, is increased by $2,000,000 to expend on grants to local governments for planning and capacity-building relating to the assessment of housing need and increasing housing supply and choice.

SECTION 136. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Land Conservation and Development by section 1 (1), chapter 438, Oregon Laws 2021 (Enrolled Senate Bill 5530), for the biennium beginning July 1, 2021, for the planning program, is increased by $1,306,912 to study and make legislative recommendations on the incorporation of a regional housing needs analysis into state and local planning programs.

SECTION 137. Notwithstanding any other provision of law, the General Fund appropriation made to the Land Use Board of Appeals by section 1, chapter 439, Oregon Laws 2021 (Enrolled Senate Bill 5531), for the biennium beginning July 1, 2021, is increased by $50,000 for an electronic filing and case management system.

SECTION 138. Section 2, chapter 443, Oregon Laws 2021 (Enrolled Senate Bill 5544), is amended to read:

Sec. 2. For the biennium beginning July 1, 2021, expenditures by the State Treasurer for unclaimed property **investment-related transactions and** finders fees are not limited.

SECTION 139. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Advocacy Commissions Office by section 1, chapter 345, Oregon Laws 2021 (Enrolled Senate Bill 5501), for the biennium beginning July 1, 2021, is increased by $228,372, for staffing community and stakeholder engagement efforts.

SECTION 140. Notwithstanding any other law limiting expenditures, the amount of $4,310,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Legislative Administration Committee, for the cost of issuing general obligation bonds and project costs for the Document Publishing and Management System.

SECTION 141. Notwithstanding any other provision of law, the General Fund appropriation made to the Legislative Administration Committee by section 1 (2), chapter 559, Oregon Laws 2021 (Enrolled House Bill 5016), for the biennium beginning July 1, 2021, for debt service, is increased by $663,587.

SECTION 142. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 426, Oregon Laws 2021 (Enrolled House Bill 5007), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and moneys appropriated to the Employment Department by sections 3 and 4, chapter 426, Oregon Laws 2021 (Enrolled House Bill 5007), but excluding lottery funds and federal funds other than those described in section 3, chapter 426, Oregon Laws 2021 (Enrolled House Bill 5007), collected or received by the Employment Department, for unemployment insurance, shared services and workforce operations, and workforce and economic research, is increased by $872,278, for administration of unemployment insurance benefits.

SECTION 143. Notwithstanding any other law limiting expenditures, the amount of $6,113,208 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys, or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Veterans' Affairs, for Salem Y Veterans Housing to construct the Veterans' Affordable Housing project financed through the issuance of lottery bonds, and associated costs of issuance.

SECTION 144. Notwithstanding any other law limiting expenditures, the amount of $499,184 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Department of Veterans' Affairs for debt service related to the Veterans' Affordable Housing project.

SECTION 145. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 471, Oregon Laws 2021 (Enrolled House Bill 5036), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from lottery moneys allocated from the Veterans' Services Fund established under ORS 406.140 to the Department of Veterans' Affairs, for services provided by the Department of Veterans' Affairs, is increased by $175,000, for the Veteran Educational Bridge Grant Program established by section 1, chapter 527, Oregon Laws 2019.

SECTION 146. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5, chapter 442, Oregon Laws 2021 (Enrolled Senate Bill 5542), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of Transportation from lottery moneys allocated from the Veterans' Services Fund established under ORS 406.140 to the Department of Veterans' Affairs and transferred to the Department of Transportation for veteran transit services, is increased by $650,000.

SECTION 147. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Transportation, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $2,000,000 for graffiti and litter removal along state highways and interstates.

SECTION 148. Notwithstanding any other provision of law, the General Fund Appropriation made to the Department of Transportation by section 1 (2), chapter 442, Oregon Laws 2021 (Enrolled House Bill 5542), for the biennium beginning July 1, 2021, for expenses related to debris removal associated with the 2020 wildfire season, is increased by $1,250,000 for cultural resources assessments in advance of wildfire related debris removal and recovery actions.

SECTION 149. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (8), chapter 442, Oregon Laws 2021 (Enrolled Senate Bill 5542), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received as reimbursement from the United States Department of Transportation, but excluding lottery funds and federal funds not described in section 2, chapter 442, Oregon Laws 2021 (Enrolled Senate Bill 5542), collected or received by the Department of Transportation, is increased by the following amounts for the following purposes:

(1)	Tualatin Hills Park and Recreation for Fanno Creek Trail improvements	$ 2,145,358
(2)	City of Sherwood for a pedestrian bridge	$ 4,057,570

SECTION 150. Notwithstanding any other law limiting expenditures, the amount of $298,451 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of Transportation from the State Board of Towing Account established by section 6, chapter 578, Oregon Laws 2021 (Enrolled Senate Bill 300), to carry out the provisions of sections 1 to 11, chapter 578, Oregon Laws 2021 (Enrolled Senate Bill 300).

SECTION 151. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2021, as the maximum limits for payment of expenses by the Department of Transportation from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Transportation, for the following purposes:

(1)	Port of Hood River for replacement of the Hood River-White Salmon Interstate Bridge	$ 5,000,000
(2)	Lake County for rehabilitation of the Lake County Railroad	$ 3,349,960
(3)	Clackamas County for Sunrise Gateway Corridor planning	$ 4,000,000

SECTION 152. Notwithstanding any other law limiting expenditures, the following

amounts are established for the biennium beginning July 1, 2021, as the maximum limits for payment of expenses by the Department of Transportation from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Transportation, for the following transportation infrastructure projects:

(1) Oregon 213/82nd Avenue safety improvements..... $ 80,000,000

(2) Newberg Dundee Bypass, Phase II (OR-219 section) ..... $ 32,000,000

SECTION 153. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $1,500,000, for distribution to the Northwest Health Foundation Fund II for researching ways to ensure equitable outcomes in public safety, educating impacted communities about the current public safety system and providing a community-driven process to produce recommendations to the Legislative Assembly for public safety reform.

SECTION 154. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Revenue, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $23,200,000 for grants to counties for the reimbursement of lost tax revenue related to the 2020 wildfires.

SECTION 155. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 308, Oregon Laws 2021 (Enrolled House Bill 5017), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from federal funds collected or received by the State Library, is increased by $2,924,165 for the expenditure of American Rescue Plan Act funds, for improved community access to the Internet and to increase digital literacy.

SECTION 156. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 1 (1), chapter 603, Oregon Laws 2021 (Enrolled Senate Bill 5513), for the biennium beginning July 1, 2021, for operations, is increased by $500,000, for a study of the impact of State School Fund spending on disparities between Black, Indigenous and People of Color (BIPOC) students and non-BIPOC students.

SECTION 157. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (8), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for public university statewide programs, is increased by $349,000, for dispute resolution programs.

SECTION 158. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (1), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for Higher Education Coordinating Commission programs, is increased by $5,000,000, for programs assisting access to post-secondary education opportunities.

SECTION 159. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (8), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for public university statewide programs, is increased by $1,000,000, for the Women's Leadership Center at Portland State University.

SECTION 160. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (8), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for public university statewide programs, is increased by $162,753, for the Veterinary Diagnostic Laboratory.

SECTION 161. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (9), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for statewide public services, is increased by $236,922, for facilities maintenance at Oregon State University.

SECTION 162. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (9), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for statewide public services, is increased by $2,680,000, for increased wildfire smoke testing capacity and enhanced smoke research.

SECTION 163. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (8), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for public university statewide programs, is increased by $5,500,000, for the Center of Excellence in Applied Computing and for expanding health-

related clinical and laboratory facilities at the Oregon Institute of Technology.

SECTION 164. In addition to and not in lieu of any other appropriation, there is appropriated to the Judicial Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $1,241,098, for operations, for the expungement of criminal records for marijuana infractions.

SECTION 165. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (4), chapter 468, Oregon Laws 2021 (Enrolled House Bill 5004), for the biennium beginning July 1, 2021, for community corrections, is increased by $10,000,000, for distribution to counties as reimbursement for moneys no longer received from supervision fees.

SECTION 166. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Criminal Justice Commission by section 1, chapter 379, Oregon Laws 2021 (Enrolled House Bill 5005), for the biennium beginning July 1, 2021, is increased by $4,000,000, to award grants to public and private entities for restorative justice programs.

SECTION 167. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $150,000,000, to be allocated for the state's natural disaster prevention, preparedness, response and recovery activities.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 168. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $10,000,000, to be allocated to the Oregon Criminal Justice Commission for a Transforming Justice initiative.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 169. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $5,130,265, to be allocated to the Department of Education and the proposed Department of Early Learning and Care for the establishment of a new agency.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 170. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 1 (1), chapter 603, Oregon Laws 2021 (Enrolled Senate Bill 5513), for the biennium beginning July 1, 2021, for operations, is increased by $3,498,673, for the development of the staffing needs, system development and other issues in the establishment of the proposed Department of Early Learning and Care.

SECTION 171. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 606, Oregon Laws 2021 (Enrolled Senate Bill 5529), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021 (Enrolled Senate Bill 5529), collected or received by the Department of Human Services, for self-sufficiency programs, is increased by $95,000,000, for employment-related day care services.

SECTION 172. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6 (1), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds and funds described in sections 8 to 12, chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), collected or received by the Higher Education Coordinating Commission, for programs and related grants, is increased by $12,900,000, for payments out of the Part-Time Faculty Insurance Fund established by section 4, chapter 583, Oregon Laws 2021 (Enrolled Senate Bill 551).

SECTION 173. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium beginning July 1, 2021, out of the General Fund, the amount of

$2,000,000 for distribution to the Innovation Law Lab, for immigration defense.

SECTION 174. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (5), chapter 561, Oregon Laws 2021 (Enrolled House Bill 5025), for the biennium beginning July 1, 2021, 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 Parks and Recreation Department, for community support and grants, is increased by $10,214,553, for the expenditure of lottery bond proceeds and costs of bond issuance related to the Oregon Main Street program.

SECTION 175. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3, chapter 561, Oregon Laws 2021 (Enrolled House Bill 5025), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the State Parks and Recreation Department, is increased by $414,812, for the payment of debt service.

SECTION 176. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (2), chapter 561, Oregon Laws 2021 (Enrolled House Bill 5025), for the biennium beginning July 1, 2021, 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 Parks and Recreation Department, for central services, is increased by $750,000, for the cost of bond issuance for capital improvement and renewal.

SECTION 177. In addition to and not in lieu of any other appropriation, there is appropriated to the State Parks and Recreation Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $2,232,560, for the payment of debt service.

SECTION 178. In addition to and not in lieu of any other appropriation, there is appropriated to the State Parks and Recreation Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $316,480, for the payment of costs associated with the development of statewide standards for recreation projects and administrative support for the Outdoor Recreation Advisory Committee established by section 7, chapter 613, Oregon Laws 2021 (Enrolled House Bill 2171).

SECTION 179. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in section 2, chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), collected or received by the State Forestry Department, for capital improvement, is increased by $4,820,772.

SECTION 180. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in section 2, chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), collected or received by the State Forestry Department, for agency administration, is increased by $64,229, for the costs of issuing general obligation bonds for capital improvements.

SECTION 181. Notwithstanding any other provision of law, the General Fund appropriation made to the State Forestry Department by section 1 (5), chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, for debt service, is increased by $260,395.

SECTION 182. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (7), chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in section 2, chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), collected or received by the State Forestry Department, for debt service, is increased by $255,807.

SECTION 183. In addition to and not in lieu of any other appropriation, there is appropriated to the State Forestry Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $5,000,000, for distribution

as grants to expand tree seedling nursery capacity and supply.

SECTION 184. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in section 2, chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), collected or received by the State Forestry Department, for agency administration, is increased by $49,196, for the costs of issuing general obligation bonds for replacement of the agency's Toledo facility.

SECTION 185. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (7), chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in section 2, chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), collected or received by the State Forestry Department, for debt service, is increased by $146,257.

SECTION 186. Notwithstanding any other provision of law, the General Fund appropriation made to the State Forestry Department by section 1 (5), chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, for debt service, is increased by $105,260.

SECTION 187. Notwithstanding any other provision of law, the General Fund appropriation made to the State Forestry Department by section 1 (2), chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, for fire protection, is increased by $666,937, for costs associated with support to rangeland protection associations.

SECTION 188. Notwithstanding any other law limiting expenditures, the amount of $1,060,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of State Lands for distribution of grants as directed by section 1, chapter 545, Oregon Laws 2021 (Enrolled House Bill 3114), from the Oregon Ocean Science Fund established by ORS 196.567.

SECTION 189. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, 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 Oregon Business Development Department, for infrastructure, is increased by $160,000,000, for the seismic rehabilitation grant program.

SECTION 190. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, 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 Oregon Business Development Department, for infrastructure, is increased by $2,050,000, for the costs of issuing general obligation bonds for the seismic rehabilitation program.

SECTION 191. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Business Development Department by section 1 (3), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, for debt service, is increased by $6,371,670.

SECTION 192. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $4,000,000, for a municipal wildfire assistance program.

SECTION 193. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $80,000, for distribution to Crawford Electric for temporary power pole needs related to the 2020 wildfires.

SECTION 194. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium beginning July 1, 2021, out of the General Fund, the following amounts, for infrastructure, for the purpose of making grants to the following entities for financial assistance due to the 2020 wildfire season for building and planning departments staffing:

(1)	**Lane County**	**$**	**755,319**
(2)	**Linn County**	**$**	**275,000**
(3)	**Lincoln County**	**$**	**190,000**

(4) Douglas County ..... $ 375,000
(5) Marion County ..... $ 975,000
(6) Jackson County ..... $ 710,000
(7) City of Talent ..... $ 280,000
(8) City of Phoenix ..... $ 677,755

SECTION 195. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium beginning July 1, 2021, out of the General Fund, the following amounts, for infrastructure, for the purpose of making grants to the following entities for staffing and operational needs associated with the 2020 wildfire season:

(1) City of Gates ..... $ 251,000
(2) City of Detroit ..... $ 521,000

SECTION 196. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2021, as the maximum limits for payment of expenses by the Oregon Business Development Department, from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Oregon Business Development Department, for infrastructure, for grants to the following entities, for the following purposes:

(1) City of Mill City - Storm Drainage Improvements ..... $ 2,923,500
(2) Hood River Waterfront Stormwater Line ..... $ 2,694,953
(3) City of Elgin Wastewater Collection System ..... $ 2,640,125
(4) City of Sandy Wastewater Treatment Plant ..... $ 14,700,000
(5) Marion County - North Santiam Septic to Sewer ..... $ 50,000,000
(6) City of Turner - Water Pipe Project ..... $ 3,000,000
(7) City of Vale - Wastewater Treatment Facility Headworks Improvements ..... $ 100,000
(8) City of Astoria - 16th St. Distribution Waterline Replacement ..... $ 2,790,000
(9) City of Astoria - Pipeline Road Waterline Resilience ..... $ 2,930,000
(10) City of Clatskanie - Waste Water Treatment Plant ..... $ 10,000,000
(11) Lyons-Mehama Water District . $ 5,260,000
(12) Port of Toledo - Sanitary Sewer Extension to Hwy 20 ..... $ 2,425,798
(13) City of Waldport - Water Tank Project ..... $ 974,850
(14) Arch Cape Domestic Water Supply District - Arch Cape Forest Project ..... $ 2,000,000
(15) City of Astoria - Wastewater Treatment Plant Headworks Improvement Project ..... $ 4,860,000
(16) City of Echo - Water System Improvements ..... $ 5,530,000
(17) City of Echo - Waste Water System Improvements ... $ 1,500,000
(18) City of Aurora - Wastewater Treatment Plant Facility ..... $ 10,545,543
(19) City of Aurora - Water Storage Tank and Pump Station $ 4,284,203
(20) Crane Union School District 1J - Crane Community Water and Sewer System ..... $ 3,200,000
(21) City of Arlington - Columbia River Municipal Pump Station.. $ 250,000
(22) City of Arlington - Wastewater Facilities Plan ..... $ 65,000
(23) City of Tillamook - Water Transmission Line Replacement $ 12,000,000
(24) Mapleton Water District - Infrastructure project ..... $ 1,140,000
(25) City of Lakeside - New Wastewater Treatment Plant ... $ 14,628,685
(26) City of Scappoose - New Headworks and Grit Chamber, Basalt Well, 2M Gal Keys Road Reservoir, Miller WTP Repair, Smith Road Pump Station ..... $ 10,000,000
(27) City of Aumsville - Water System Improvements ..... $ 2,500,000
(28) City of Philomath - Water Treatment Plant and Reservoir Construction ..... $ 12,000,000
(29) Wasco County Soil and Water Conservation District - Mosier Million #2 ..... $ 900,000
(30) Crescent Sanitary District ..... $ 835,000
(31) City of Carlton - Wastewater Treatment Plant ... $ 5,800,000
(32) Lane County - McKenzie River Valley Drinking Water and Wastewater System Replacements ..... $ 15,500,000
(33) Panther Creek Water District - Water Reservoir Replacement $ 1,800,000
(34) Lincoln County - Panther Creek Septic/Stormwater ..... $ 15,000,000
(35) City of Detroit - Drinking Water System ..... $ 3,000,000
(36) City of Ashland - Talent-Ashland-Phoenix (TAP) Intertie Improvements ..... $ 3,000,000
(37) Lincoln County - Well Repair ..... $ 500,000
(38) City of Gates - Water Meter Replacement ..... $ 25,000
(39) City of Phoenix - Charlotte Ann Water District Disbanding Transition Costs ..... $ 5,000,000
(40) City of Powers - Sewer Collection System and Sewer Plant ..... $ 3,000,000
(41) City of Roseburg - Storm Improvements ..... $ 1,570,064
(42) Cave Junction - Water Distribution Center ..... $ 200,000
(43) City of Mosier - Waste Water Treatment Plan Update . $ 2,500,000
(44) City of Nyssa - Water Expansion ..... $ 3,000,000
(45) City of Medford - SW Medford Water and Sewer Infrastructure $ 2,700,000
(46) City of Redmond - Skyline

	Village Affordable Housing Sewer	$ 950,000
(47)	City of Corvallis - Rock Creek Transmission Main	$ 10,500,000
(48)	Lakeview - Water Treatment Facility	$ 15,000,000

SECTION 197. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, 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 Oregon Business Development Department, for infrastructure, is increased by $15,000,000, for the purpose of providing grants under ORS 285B.420 for levee projects as defined in ORS 285B.410 from the Levee Project Grant Fund established by ORS 285B.421.

SECTION 198. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $50,000,000, for deposit in the Special Public Works Fund established under ORS 285B.455.

SECTION 199. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, 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 Oregon Business Development Department, for infrastructure, is increased by $20,000,000, for the expenditure of net bond proceeds from general obligation bonds issued for upgrades to the Salem Drinking Water System.

SECTION 200. Notwithstanding any other law limiting expenditures, the amount of $50,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Oregon Business Development Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Oregon Business Development Department, for grants to music, cultural, and community venues and organizations that were negatively impacted by the COVID-19 pandemic.

SECTION 201. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, 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 Oregon Business Development Department, for Arts and Cultural Trust, is increased by the following amounts, for the issuance of grants from net bond proceeds from lottery bonds, for the following projects:

(1)	Maxville Heritage Interpretive Center - Preservation of Maxville Townsite	$ 750,000
(2)	Artists Repertory Theatre	$ 2,000,000
(3)	The Josephy Center for Arts and Culture	$ 600,000
(4)	Eastern Oregon Regional Theatre - Baker Orpheum Theatre Restoration	$ 295,000
(5)	Chehalem Cultural Center - Performing Arts Wing	$ 1,250,000
(6)	Siltez Tribal Arts and Heritage Society	$ 750,000
(7)	The Jon G. Shedd Institute for the Arts	$ 1,600,000
(8)	Little Theatre on the Bay - Liberty Theatre Expansion	$ 600,000
(9)	Columbia River Maritime Museum - Lightship Columbia Preservation	$ 304,378
(10)	Portland Art Museum - Rothko Pavilion	$ 1,000,000

SECTION 202. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, 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 Oregon Business Development Department, for infrastructure, is increased by $10,000,000, for a grant program for county fair capital improvements.

SECTION 203. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, 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 Oregon Business Development Department, for Arts and Cultural Trust, is increased by $361,350, for the payment of costs associated with the issuance of lottery revenue bonds.

SECTION 204. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 560, Oregon Laws 2021 (Enrolled House Bill

5023), for the biennium beginning July 1, 2021, 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 Oregon Business Development Department, for infrastructure, is increased by $1,254,312, for the payment of costs associated with the issuance of lottery revenue bonds.

SECTION 205. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (4), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Oregon Business Development Department, for lottery bond debt service, is increased by $6,905,674.

SECTION 206. Notwithstanding any other law limiting expenditures, the amount of $120,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Oregon Business Development Department from American Rescue Plan Act Capital Projects Fund moneys received by the Oregon Department of Administrative Services and deposited in the Broadband Fund established by section 4, chapter 17, Oregon Laws 2020 (first special session).

SECTION 207. (1) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (2), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Oregon Business Development Department, for operations, is increased by $1,387,837, for additional staffing capacity.

(2) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (1), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Oregon Business Development Department, for business, innovation and trade, is increased by $480,743, for additional staffing capacity.

SECTION 208. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Business Development Department by section 1 (2), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, for business, innovation and trade, is increased by $85,845, for additional staffing capacity.

(2) Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Business Development Department by section 1 (4), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, for infrastructure, is increased by $219,660, for additional staffing capacity.

SECTION 209. (1) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, 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 Oregon Business Development Department, for infrastructure, is increased by $219,660, for additional staffing capacity.

(2) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, 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 Oregon Business Development Department, for business, innovation and trade, is increased by $461,286, for additional staffing capacity.

(3) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, 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 Oregon Business Development Department, for operations, is increased by $272,000, for additional staffing capacity.

SECTION 210. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (3), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Oregon Business Development Department, for the Oregon Film and Video Office, is increased by $112,500, for program enhancements.

SECTION 211. Notwithstanding any other law limiting expenditures, the limitation on ex-

penditures established by section 3 (5), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Oregon Business Development Department, for infrastructure, is increased by $1,600,000, for a grant to the Port of Port Orford for a seafood hub redevelopment project.

SECTION 212. Notwithstanding any other law limiting expenditures, the amount of $5,800 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Business Development Department, for debt service.

SECTION 213. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, 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 Oregon Business Development Department, for business, innovation and trade, is increased by $500,000, for expenditure of moneys in the Oregon Rural Capacity Fund established by section 6, chapter 614, Oregon Laws 2021 (Enrolled House Bill 2345).

SECTION 214. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 560, Oregon Laws 2021 (Enrolled House Bill 5023), for the biennium beginning July 1, 2021, 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 Oregon Business Development Department, for business, innovation and trade, is increased by $10,000,000, for expenditure of moneys in the Disadvantaged and Emerging Small Business Loan Fund established by section 14, chapter 676, Oregon Laws 2021 (Enrolled House Bill 2266).

SECTION 215. Notwithstanding any other law limiting expenditures, the amount of $10,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Oregon Business Development Department, for business, innovation and trade, for distribution as a grant to Oregon21, LLC for direct costs of the World Track and Field Championship.

SECTION 216. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 468, Oregon Laws 2021 (Enrolled House Bill 5004), for the biennium beginning July 1, 2021, 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 Department of Corrections, for central administration and administrative services, is decreased by $37,250,485, for deferred maintenance.

SECTION 217. Notwithstanding any other law limiting expenditures, the amount of $37,250,485 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of Corrections from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Corrections, for central administration and administrative services, for deferred maintenance.

SECTION 218. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 470, Oregon Laws 2021 (Enrolled House Bill 5028), for the biennium beginning July 1, 2021, 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 Department of State Police, for patrol services, criminal investigations, gaming enforcement and Office of the State Fire Marshal, is decreased by $4,204,601, for vehicle purchases.

SECTION 219. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 470, Oregon Laws 2021 (Enrolled House Bill 5028), for the biennium beginning July 1, 2021, 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 Department of State Police, for forensic services and Chief Medical Examiner, is decreased by $1,884,746, for vehicle and forensic laboratory equipment purchases.

SECTION 220. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 470, Oregon Laws 2021 (Enrolled House Bill 5028), for the biennium beginning July 1, 2021, 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 Department of State Police, for administrative services, agency support and criminal justice information services, is decreased by $77,080, for vehicle purchases.

SECTION 221. Notwithstanding any other law limiting expenditures, the amount of $4,204,601 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of State Police from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of State Police, for the Patrol Services and Criminal Investigations Division, for vehicle purchases.

SECTION 222. Notwithstanding any other law limiting expenditures, the amount of $1,884,746 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of State Police from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of State Police, for forensic services, for vehicle and laboratory equipment purchases.

SECTION 223. Notwithstanding any other law limiting expenditures, the amount of $77,080 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of State Police from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of State Police, for agency support, for vehicle purchases.

SECTION 224. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Criminal Justice Commission by section 1, chapter 379, Oregon Laws 2021 (Enrolled House Bill 5005), for the biennium beginning July 1, 2021, is increased by $228,395 to administer the restorative justice grant program.

SECTION 225. Notwithstanding any other law limiting expenditures, the amount of $632,735 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Liquor Control Commission, for issuance costs of bonds issued under Article XI-Q of the Oregon Constitution for the purpose of acquiring land and construction of an agency warehouse distribution center and headquarters facilities.

SECTION 226. Notwithstanding any other law limiting expenditures, the amount of $27,390,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Liquor Control Commission, for costs of bond issuance and expenses associated with distribution center management information technology systems.

SECTION 227. Notwithstanding any other law limiting expenditures, the amount of $175,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Liquor Control Commission, for issuance costs of bonds issued under Article XI-Q of the Oregon Constitution for an automated distribution center conveyor and order fulfillment system.

SECTION 228. Notwithstanding any other law limiting expenditures, the amount of $7,547,093 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Liquor Control Commission, for debt service.

SECTION 229. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $30,000,000, for distributions to compensate landlords for unpaid rent payments pursuant to sections 12 and 13, chapter 420, Oregon Laws 2021 (Enrolled Senate Bill 278).

SECTION 230. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $5,000,000, to award a grant to Home Forward pursuant to section 9, chapter 420, Oregon Laws 2021 (Enrolled Senate Bill 278).

SECTION 231. In addition to and not in lieu of any other appropriation, there is appropriated to the Water Resources Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $250,000, for distribution to the Nesika Beach Ophir Water

District for the purpose of funding fire protection infrastructure.

SECTION 232. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (4), chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds received under cooperative agreements with or contracts from the Bureau of Reclamation of the United States Department of the Interior, the United States Army Corps of Engineers, the United States Geological Survey, the Bonneville Power Administration and the National Fish and Wildlife Foundation, but excluding lottery funds and federal funds not described in section 3, chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), collected or received by the Water Resources Department, for technical services, is increased by the following amounts for paying the following costs from the Water Supply Development Account established in ORS 541.656:

(1)	Water supply development grants and loans described in ORS 541.656 (2)(a)	$ 30,000,000
(2)	Deschutes Basin Board of Control piping project	$ 10,000,000
(3)	Bond issuance costs	$ 598,860

SECTION 233. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (4), chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds received under cooperative agreements with or contracts from the Bureau of Reclamation of the United States Department of the Interior, the United States Army Corps of Engineers, the United States Geological Survey, the Bonneville Power Administration and the National Fish and Wildlife Foundation, but excluding lottery funds and federal funds not described in section 3, chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), collected or received by the Water Resources Department, for technical services, is increased by the following amounts for paying the following costs from the Water Resources Department Water Supply Fund established in section 10, chapter 906, Oregon Laws 2009:

(1)	City of Newport for remediation of the Big Creek Dams, including design, environmental permitting and construction of seismically sound replacement dam	$ 14,000,000
(2)	Wallowa Lake Irrigation District for rehabilitation of the Wallowa Lake Dam	$ 14,000,000
(3)	Bond issuance costs	$ 443,481

SECTION 234. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Water Resources Department, is increased by $3,514,230, for debt service.

SECTION 235. Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 1 (4), chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), for the biennium beginning July 1, 2021, for technical services, is increased by $500,000, for grants for studies of the feasibility of developing water conservation, reuse and storage projects.

SECTION 236. Notwithstanding any other law limiting expenditures, the amount of $6,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Water Resources Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Water Resources Department, for a grant to Umatilla County for the Ordnance regional water infrastructure project.

SECTION 237. Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 1 (4), chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), for the biennium beginning July 1, 2021, for technical services, is increased by $500,000, for a grant to Umatilla County to implement agreements of the Columbia River-Umatilla Solutions task force.

SECTION 238. Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 1 (5), chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), for the biennium beginning July 1, 2021, for the director's office, is increased by $500,000, for distribution to Oregon Consensus to convene a process to develop a framework and path for state-supported water planning and management at the water region and/or basin level.

SECTION 239. Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 1 (5), chapter 665, Oregon Laws 2021

(Enrolled Senate Bill 5545), for the biennium beginning July 1, 2021, for the director's office, is increased by $200,000, to support regional water planning and associated convenings.

SECTION 240. Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 1 (5), chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), for the biennium beginning July 1, 2021, for the director's office, is increased by $450,000, to provide facilitation, document development and staffing support for the 2022 update of the Integrated Water Resources Strategy.

SECTION 241. Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 1 (5), chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), for the biennium beginning July 1, 2021, for the director's office, is increased by $350,000, to contract for a statewide business case assessment to examine the economic value of water to Oregon.

SECTION 242. Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 1 (4), chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), for the biennium beginning July 1, 2021, for technical services, is increased by $200,000, to support currently participating entities in the place-based planning program.

SECTION 243. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (4), chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds received under cooperative agreements with or contracts from the Bureau of Reclamation of the United States Department of the Interior, the United States Army Corps of Engineers, the United States Geological Survey, the Bonneville Power Administration and the National Fish and Wildlife Foundation, but excluding lottery funds and federal funds not described in section 3, chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), collected or received by the Water Resources Department, for technical services, is increased by $500,000, for authorized expenditures of moneys deposited in the Domestic Well Remediation Fund established in section 3, chapter 632, Oregon Laws 2021 (Enrolled House Bill 3092).

SECTION 244. Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 1 (5), chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), for the biennium beginning July 1, 2021, for the director's office, is increased by $2,200,000, to address the department's legal caseload backlog.

SECTION 245. Notwithstanding any other law limiting expenditures, the amount of $1,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Water Resources Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Water Resources Department, for place-based planning.

SECTION 246. Notwithstanding any other law limiting expenditures, the amount of $2,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Water Resources Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Water Resources Department, for deposit into the Water Well Abandonment, Repair and Replacement Fund established in section 2, chapter 610, Oregon Laws 2021 (Enrolled House Bill 2145).

SECTION 247. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (4), chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds received under cooperative agreements with or contracts from the Bureau of Reclamation of the United States Department of the Interior, the United States Army Corps of Engineers, the United States Geological Survey, the Bonneville Power Administration and the National Fish and Wildlife Foundation, but excluding lottery funds and federal funds not described in section 3, chapter 665, Oregon Laws 2021 (Enrolled Senate Bill 5545), collected or received by the Water Resources Department, for technical services, is increased by $2,100,000, for authorized expenditures of moneys deposited in the Water Well Abandonment, Repair and Replacement Fund established in section 2, chapter 610, Oregon Laws 2021 (Enrolled House Bill 2145).

SECTION 248. Notwithstanding any other law limiting expenditures, the amount of $500,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Water Resources

Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Water Resources Department, for assistance to local governments with meeting fish passage requirements for dam upgrade projects.

SECTION 249. Notwithstanding any other law limiting expenditures, the amount of $3,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Water Resources Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Water Resources Department, to supplement fee-based services pending development of sustainable, long-term funding mechanisms.

SECTION 250. Notwithstanding any other law limiting expenditures, the amount of $4,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Water Resources Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Water Resources Department, for the provision of contracted services to perform flood methodology and inundation assessments for dams and engineering analyses on dams.

SECTION 251. Notwithstanding any other law limiting expenditures, the amount of $3,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Water Resources Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Water Resources Department, for the purchase and deployment of surface and ground water data collection equipment.

SECTION 252. Notwithstanding any other law limiting expenditures, the amount of $1,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Water Resources Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Water Resources Department, for deposit in the Water Measurement Cost Share Program Revolving Fund established in ORS 536.021.

SECTION 253. Notwithstanding any other law limiting expenditures, the amount of $2,283,800 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Oregon Health Authority from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Oregon Health Authority, for deferred maintenance and equipment replacement costs at the Oregon State Hospital.

SECTION 254. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (5), chapter 668, Oregon Laws 2021 (Enrolled House Bill 5024), for the biennium beginning July 1, 2021, for debt service, is increased by $958,626.

SECTION 255. Notwithstanding any other law limiting expenditures, the amount of $117,250 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Health Authority, for bond issuance costs for projects at the Oregon State Hospital.

SECTION 256. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021 (Enrolled House Bill 5024), for the biennium beginning July 1, 2021, for health systems, health policy and analytics, and public health, is increased by $145,714 for implementation of chapter 95, Oregon Laws 2019, by the Oregon State University College of Pharmacy.

SECTION 257. Notwithstanding any other law limiting expenditures, the amount of $14,870,281 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys, or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Health Authority, for the transfer of the Health Insurance Marketplace from the Department of Consumer and Business Services.

SECTION 258. Notwithstanding any other law limiting expenditures, the amount of $20,253,714 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys, or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Health Authority, for the Behavioral Health Housing Incentive Fund, associated bond issuance costs and other associated bond expenses.

SECTION 259. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021 (Enrolled House Bill 5024), for the biennium beginning July 1, 2021, for health systems, health policy and analytics, and public health, is increased by $5,000,000 for costs associated with the implementation of chapter 667, Oregon Laws 2021 (Enrolled House Bill 2086).

SECTION 260. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021 (Enrolled House Bill 5024), for the biennium beginning July 1, 2021, for health systems, health policy and analytics, and public health, is increased by $780,457 for implementation of chapter 615, Oregon Laws 2021 (Enrolled House Bill 2362).

SECTION 261. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021 (Enrolled House Bill 5024), for the biennium beginning July 1, 2021, for health systems, health policy and analytics, and public health, is increased by $300,000 for studying the behavioral health structures for services provided through state agencies.

SECTION 262. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (4), chapter 503, Oregon Laws 2021 (Enrolled Senate Bill 5510), for the biennium beginning July 1, 2021, 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 Department of Consumer and Business Services, is decreased by $14,870,281, for transfer of the Health Insurance Marketplace program to the Oregon Health Authority.

SECTION 263. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Consumer and Business Services, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $10,678,004, for a residential and commercial fire hardening grant program.

SECTION 264. Notwithstanding any other provision of law, the General Fund appropriation made to the Bureau of Labor and Industries by section 1, chapter 558, Oregon Laws 2021 (Enrolled House Bill 5015), for the biennium beginning July 1, 2021, is increased by $2,310,459 for the Fair Housing Enforcement Statewide Investment.

SECTION 265. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $19,000,000, to be allocated to the Oregon Health Authority for dental rates for medical assistance programs.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 266. In addition to and not in lieu of any other appropriation, there is appropriated to the Mental Health Regulatory Agency, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $300,000 for a demographic study of licensees and a diversity plan.

SECTION 267. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $55,000,000, to be allocated to the Oregon Health Authority or the Department of Human Services for caseload costs or other budget challenges that the agency is unable to mitigate.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 268. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $2,000,000, to award a grant to SquareOne Villages for a shared equity homeownership pilot project for affordable housing units with innovative ownership structures.

SECTION 269. Notwithstanding any other provision of law, the General Fund appropriation made to the Housing and Community Services Department by section 5, chapter 556, Oregon Laws 2021 (Enrolled House Bill 5011), for the biennium beginning July 1, 2021, for debt service for bond-related activities, is increased by $21,402,830.

SECTION 270. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 556, Oregon Laws 2021 (Enrolled House Bill 5011), as the maximum limit for payment of expenses for operations, from fees, moneys or other revenues, including Miscellaneous Receipts and fed-

eral funds from the United States Department of Housing and Urban Development for contract services, but excluding lottery funds and federal funds not described in section 2, chapter 556, Oregon Laws 2021 (Enrolled House Bill 5011), collected or received by the Housing and Community Services Department, is increased by $3,490,000, for issuance costs of bonds issued under Article XI-Q of the Oregon Constitution for the development of affordable housing for low income households and permanent supportive housing.

SECTION 271. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 556, Oregon Laws 2021 (Enrolled House Bill 5011), as the maximum limit for payment of expenses for operations, from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds from the United States Department of Housing and Urban Development for contract services, but excluding lottery funds and federal funds not described in section 2, chapter 556, Oregon Laws 2021 (Enrolled House Bill 5011), collected or received by the Housing and Community Services Department, is increased by $2,037,700, for payment of expenses related to the development of affordable housing for low income households and permanent supportive housing developed with proceeds from bonds issued under Article XI-Q of the Oregon Constitution.

SECTION 272. Notwithstanding any other provision of law, the General Fund appropriation made to the Housing and Community Services Department by section 1, chapter 556, Oregon Laws 2021 (Enrolled House Bill 5011), for the biennium beginning July 1, 2021, is increased by $1,600,000 for supportive services and rental assistance payments for permanent supportive housing developed with proceeds from bonds issued under Article XI-Q of the Oregon Constitution.

SECTION 273. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $30,000,000, for funding for loans to purchasers of naturally occurring affordable housing stock or land upon which affordable housing will be developed.

SECTION 274. Notwithstanding any other provision of law, the General Fund appropriation made to the Housing and Community Services Department by section 1, chapter 556, Oregon Laws 2021 (Enrolled House Bill 5011), for the biennium beginning July 1, 2021, is increased by $100,000,000 to provide financial assistance to aid in the acquisition, renovation or maintenance of properties with project-based federal rental assistance contracts, public housing undergoing significant recapitalization or publicly supported housing as defined in ORS 456.250, or to preserve the affordability of manufactured dwelling parks.

SECTION 275. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $3,000,000 for one or more grants to nonprofit organizations for the purposes of developing or improving infrastructure for a manufactured dwelling park in Springfield, Oregon.

SECTION 276. Notwithstanding any other provision of law, the General Fund appropriation made to the Housing and Community Services Department by section 1, chapter 556, Oregon Laws 2021 (Enrolled House Bill 5011), for the biennium beginning July 1, 2021, is increased by $225,953 for incorporation of regional housing needs analyses into state and local housing and land use planning.

SECTION 277. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 556, Oregon Laws 2021 (Enrolled House Bill 5011), as the maximum limit for payment of expenses for operations, from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds from the United States Department of Housing and Urban Development for contract services, but excluding lottery funds and federal funds not described in section 2, chapter 556, Oregon Laws 2021 (Enrolled House Bill 5011), collected or received by the Housing and Community Services Department, is increased by $4,500,000 for expenditures from the Long-Term Rent Assistance Fund in accordance with chapter 517, Oregon Laws 2021 (Enrolled House Bill 2163).

SECTION 278. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $100,383,496 for housing development, construction, infrastructure, rebuilding, down payment assistance, loans and services associated with wildfire recovery.

SECTION 279. Notwithstanding any other law limiting expenditures, the amount of $50,780,071 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds from the United States Depart-

ment of Housing and Urban Development for contract services, but excluding lottery funds and federal funds not described in this section, collected or received by the Housing and Community Services Department, for operations, land acquisition and interim housing supply assets acquired in association with wildfire recovery efforts.

SECTION 280. Notwithstanding any other law limiting expenditures, the amount established by section 3, chapter 556, Oregon Laws 2021 (Enrolled House Bill 5011), as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Housing and Community Services Department for lottery bonds, is increased by $2,189,980, for debt service on lottery bonds.

SECTION 281. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $30,000,000, to be allocated to the Oregon Health Authority for the Oregon Essential Workforce Health Care Program established by section 1, chapter 595, Oregon Laws 2021 (Enrolled Senate Bill 800).

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 282. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (3), chapter 662, Oregon Laws 2021 (Enrolled Senate Bill 5535), for the biennium beginning July 1, 2021, for emergency management, is increased by $20,000,000 for matching funds for the Federal Emergency Management Agency's Hazard Mitigation Grant Program.

SECTION 283. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Police by section 1 (4), chapter 470, Oregon Laws 2021 (Enrolled House Bill 5028), for the biennium beginning July 1, 2021, for Administrative Services, Agency Support and Criminal Justice Information Services, is increased by $2,789,991 for the LEDS 20/20 Phase 6 - Sex Offender Registry project.

SECTION 284. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Police by section 1 (1), chapter 470, Oregon Laws 2021 (Enrolled House Bill 5028), for the biennium beginning July 1, 2021, for Patrol Services, Criminal Investigations, Gaming Enforcement and Office of the State Fire Marshal, is increased by $5,000 for the Drakes Crossing Rural Fire Protection District, for matching funds for a Federal Emergency Management Agency grant.

SECTION 285. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (1), chapter 602, Oregon Laws 2021 (Enrolled Senate Bill 5504), for the biennium beginning July 1, 2021, 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 Oregon Department of Aviation, for operations, is increased by $230,181, for revenue from the two-cent increase on aviation fuel tax established by chapter 526, Oregon Laws 2021 (Enrolled House Bill 2434), which funds the aviation system action program.

SECTION 286. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (5), chapter 602, Oregon Laws 2021 (Enrolled Senate Bill 5504), for the biennium beginning July 1, 2021, 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 Oregon Department of Aviation, for the aviation system action program, is increased by $4,373,444, for revenue from the two-cent increase on aviation fuel tax established by chapter 526, Oregon Laws 2021 (Enrolled House Bill 2434), which funds the aviation system action program.

SECTION 287. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium beginning July 1, 2021, out of the General Fund, the amount of $25,000,000, for the creation of an emerging opportunities program to provide funding assistance to entities for projects targeted at enabling private investment in Oregon.

SECTION 288. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 442, Oregon Laws 2021 (Enrolled Senate Bill 5542), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Department of Transportation for debt service, is increased by $328,752.

SECTION 289. Notwithstanding any other law limiting expenditures, the amount of $300,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Oregon Health Au-

thority from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Oregon Health Authority, for operations and health-related services at the Oregon State Hospital.

SECTION 290. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (2), chapter 668, Oregon Laws 2021 (Enrolled House Bill 5024), for the biennium beginning July 1, 2021, for the Oregon State Hospital, is decreased by $300,000,000.

SECTION 291. Notwithstanding any other law limiting expenditures, the amount of $800,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Department of Corrections from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Corrections, for operations and health services.

SECTION 292. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (1), chapter 468, Oregon Laws 2021 (Enrolled House Bill 5004), for the biennium beginning July 1, 2021, for operations and health services, is decreased by $800,000,000.

SECTION 293. Notwithstanding any other law limiting expenditures, the amount of $100,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses by the Oregon Youth Authority from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Oregon Youth Authority, for facility programs.

SECTION 294. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Youth Authority by section 1 (1), chapter 430, Oregon Laws 2021 (Enrolled House Bill 5039), for the biennium beginning July 1, 2021, for facility programs, is decreased by $100,000,000.

SECTION 295. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6 (1), chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds and funds described in sections 8 to 12, chapter 660, Oregon Laws 2021 (Enrolled Senate Bill 5528), collected or received by the Higher Education Coordinating Commission, for programs and related grants is increased by $10,000,000 for payments out of the Oregon Conservation Corps Fund established by section 23, chapter 592, Oregon Laws 2021 (Enrolled Senate Bill 762).

SECTION 296. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (8), chapter 606, Oregon Laws 2021 (Enrolled Senate Bill 5529), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021 (Enrolled Senate Bill 5529), collected or received by the Department of Human Services, for shared services, is increased by $628,913 for the purpose of carrying out section 3, chapter 590, Oregon Laws 2021 (Enrolled Senate Bill 749).

SECTION 297. Notwithstanding any other provision of law, the General Fund appropriation made to the State Forestry Department by section 1 (4), chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, for private forests, is increased by $686,300 for costs associated with the establishment of positions related to administration of the Oregon Forest Practices Act.

SECTION 298. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (5), chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in section 2, chapter 605, Oregon Laws 2021 (Enrolled Senate Bill 5518), collected or received by the State Forestry Department, for private forests, is increased by $457,530, for costs associated with the establishment of positions related to administration of the Oregon Forest Practices Act.

SECTION 299. Notwithstanding any other provision of law, the authorized appropriations and expenditure limitations for the biennium beginning July 1, 2021, for the following agencies and programs are changed by the amounts specified:

(1) ADMINISTRATION.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Oregon Advocacy Commissions Office:		
Operating Expenses		
General Fund	**Ch. 345 1**	**-$16,340**
Oregon Department of Administrative Services:		
Chief Operating Office		
Other funds	**Ch. 425 2(1)**	**-41,343**
Debt Service		
General Fund	**Ch. 425 1(7)**	**-600,308**
Chief Financial Office		
Other funds	**Ch. 425 2(2)**	**-57,772**
Office of the State Chief Information Officer - Policy		
Other funds	**Ch. 425 2(3)**	**-144,309**
Chief Human Resource Office		
Other funds	**Ch. 425 2(4)**	**-124,310**
OSCIO - State Data Center - Operations		
Other funds	**Ch. 425 2(5)(a)**	**-877,634**
Enterprise Asset Management		
Other funds	**Ch. 425 2(6)**	**-65,117**
Enterprise Goods and Services		
Other funds	**Ch. 425 2(7)**	**-1,776,395**
Business Services		
Other funds	**Ch. 425 2(8)**	**-1,554,348**
Debt Service - ODAS		
Other funds	**Ch. 425 2(12)**	**-2,695,360**
ODAS Information Technology		
Other funds	**Ch. 425 2(14)**	**+110,879**
Debt Service and Related Costs for Bonds Issued		
Lottery funds	**Ch. 425 3**	**-8,932,386**
State Treasury:		
Administrative Services		
Other funds	**Ch. 443 1(1)**	**-271,372**
Investment Services		
Other funds	**Ch. 443 1(3)**	**-196,552**
Public Savings Services		
Other funds	**Ch. 443 1(4)**	**-62,640**
State and Local Government Financial Services		
Other funds	**Ch. 443 1(5)**	**-90,669**
Oregon Racing Commission:		
Operating Expenses		
Other funds	**Ch. 383 1**	**-40,195**
Public Employees Retirement System:		
Central Administration Division		
Other funds	**Ch. 145 1(1)**	**-210,200**
Financial and Administrative Services Division		
Other funds	**Ch. 145 1(2)**	**-3,306,098**
Information Services Division		
Other funds	**Ch. 145 1(3)**	**+7,730**
Operations Division		
Other funds	**Ch. 145 1(4)**	**-11,469**
Compliance, Audit and Risk Division		
Other funds	**Ch. 145 1(5)**	**-68,410**
Secretary of State:		
Administrative Services Division		
General Fund	**Ch. 505 1(1)**	**+20,067**
Other funds	**Ch. 505 2(1)**	**-106,645**
Elections Division		
General Fund	**Ch. 505 1(2)**	**-211,220**
Other funds	**Ch. 505 2(2)**	**-34**
Federal funds	**Ch. 505 3**	**-6,971**
Archives Division		
Other funds	**Ch. 505 2(4)**	**-164,264**
Audits Division		
Other funds	**Ch. 505 2(3)**	**-126,229**
Corporation Division		
Other funds	**Ch. 505 2(5)**	**-155,311**
Oregon Liquor Control Commission:		
Administrative Expenses		
Other funds	**Ch. 640 1(1)**	**-514,975**
Marijuana Regulation - Recreational		
Other funds	**Ch. 640 1(2)**	**-39,720**
Marijuana Regulation - Medical		
Other funds	**Ch. 640 1(3)**	**-3,722**
Department of Revenue:		
Administration		
General Fund	**Ch. 441 1(1)**	**-1,197,563**
Other funds	**Ch. 441 2(1)**	**-325,197**
Property Tax Division		
General Fund	**Ch. 441 1(2)**	**-117,395**
Other funds	**Ch. 441 2(2)**	**-5,616**
Personal Tax and Compliance Division		
General Fund	**Ch. 441 1(3)**	**-419,665**
Other funds	**Ch. 441 2(3)**	**-14,434**
Business Division		
General Fund	**Ch. 441 1(4)**	**-158,912**
Other funds	**Ch. 441 2(4)**	**-58,963**
Information Technology Services Division		
General Fund	**Ch. 441 1(6)**	**+40,422**
Other funds	**Ch. 441 2(7)**	**+10,298**
Debt Service		
General Fund	**Ch. 441 1(7)**	**-789,000**
Other funds	**Ch. 441 2(10)**	**+790,000**
Collections Division		
General Fund	**Ch. 441 1(5)**	**-69,688**
Other funds	**Ch. 441 2(5)**	**-40,049**
Marijuana Division		
Other funds	**Ch. 441 2(8)**	**-22,802**
Corporate Division		
Other funds	**Ch. 441 2(6)**	**-20,201**
Senior Property Tax Deferral Program		
Other funds	**Ch. 441 2(9)**	**-9,469**
Employment Relations Board:		
Operating Expenses		
General Fund	**Ch. 166 1**	**-77,831**
Assessments of Agencies		

Other funds	Ch. 166 3	-51,846
Office of the Governor:		
Operating Expenses		
General Fund	Ch. 434 1	-476,684
Other funds	Ch. 434 4	-92,512
Regional Solutions		
Lottery funds	Ch. 434 3	-72,430
Oregon Government Ethics Commission:		
Operating Expenses		
Other funds	Ch. 288 1	-92,004
State Library:		
Operating Expenses		
General Fund	Ch. 308 1	-70,697
Operating Expenses - Non-Assessments		
Other funds	Ch. 308 2	-96,767
Operating Expenses - Assessments		
Other funds	Ch. 308 3	-120,049

(2) CONSUMER AND BUSINESS SERVICES.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Oregon Board of Accountancy:		
Operating Expenses		
Other funds	Ch. 377 1	-$88,512
State Board of Tax Practitioners:		
Operating Expenses		
Other funds	Ch. 348 1	-69,152
Construction Contractors Board:		
Operating Expenses		
Other funds	Ch. 347 1	-186,817
Mental Health Regulatory Agency		
Oregon Board of Licensed Professional Counselors and Therapists:		
Other funds	Ch. 437 1	-94,751
Oregon Board of Psychology:		
Other funds	Ch. 437 2	-50,980
State Board of Chiropractic Examiners:		
Operating Expenses		
Other funds	Ch. 346 1	-79,230
State Board of Licensed Social Workers:		
Operating Expenses		
Other funds	Ch. 440 1	-86,002
Oregon Board of Dentistry:		
Operating Expenses		
Other funds	Ch. 287 1	-23,039
Health-Related Licensing Boards:		
State Mortuary and Cemetery Board		
Other funds	Ch. 504 1	-54,881
Oregon Board of Naturopathic Medicine		
Other funds	Ch. 504 2	-31,572
Occupational Therapy Licensing Board		
Other funds	Ch. 504 3	-14,198
Board of Medical Imaging		
Other funds	Ch. 504 4	-30,351
State Board of Examiners for Speech-Language Pathology and Audiology		
Other funds	Ch. 504 5	-26,641
Oregon State Veterinary Medical Examining Board		
Other funds	Ch. 504 6	-31,762
Bureau of Labor and Industries:		
Operating Expenses		
General Fund	Ch. 558 1	-159,929
Other funds	Ch. 558 2	-114,658
Federal funds	Ch. 558 4	-14,786
Wage Security Fund Administration		
Other funds	Ch. 558 3(1)	-27,629
Public Utility Commission:		
Utility Program		
Other funds	Ch. 382 1(1)	-215,242
Residential Service Protection Fund		
Other funds	Ch. 382 1(2)	-13,440
Administration		
Other funds	Ch. 382 1(3)	-142,891
Oregon Board of Maritime Pilots		
Other funds	Ch. 382 1(4)	-11,713
Department of Consumer and Business Services:		
Workers' Compensation Board		
Other funds	Ch. 503 1(1)	-107,415
Workers' Compensation Division		
Other funds	Ch. 503 1(2)	-432,712
Oregon OSHA		
Other funds	Ch. 503 1(3)	-503,718
Central Services Division		
Other funds	Ch. 503 1(5)	-329,020
Division of Financial Regulation		
Other funds	Ch. 503 1(6)	-408,386
Federal funds	Ch. 503 2(5)	-157
Building Codes Division		
Other funds	Ch. 503 1(7)	-256,616
Health Insurance Exchange - Marketplace Division		
Other funds	Ch. 503 1(4)	-54,625
Real Estate Agency:		
Operating Expenses		
Other funds	Ch. 311 1	-66,208
Oregon State Board of Nursing:		
Operating Expenses		
Other funds	Ch. 310 1	-123,016
Oregon Medical Board:		
Operating Expenses		
Other funds	Ch. 309 1	-84,573
State Board of Pharmacy:		
Operating Expenses		
Other funds	Ch. 168 1	-65,797

(3) ECONOMIC DEVELOPMENT.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Oregon Business Development Department:		
Oregon Arts Commission		
General Fund	**Ch. 560 1(1)**	**-$16,035**
Business, Innovation and Trade		
General Fund	**Ch. 560 1(2)**	**-782**
Other funds	**Ch. 560 2(1)**	**-65,118**
Lottery funds	**Ch. 560 3(1)**	**-136,172**
Debt Service		
General Fund	**Ch. 560 1(3)**	**-2,503,158**
Infrastructure		
Other funds	**Ch. 560 2(2)**	**-78,567**
Lottery funds	**Ch. 560 3(5)**	**-14,229**
Federal funds	**Ch. 560 4(2)**	**-1,674**
Operations		
Other funds	**Ch. 560 2(3)**	**-1,015**
Lottery funds	**Ch. 560 3(2)**	**-105,280**
Arts and Cultural Trust		
Other funds	**Ch. 560 2(4)**	**-11,817**
Lottery Bond Debt Service		
Lottery funds	**Ch. 560 3(4)**	**-10,895,472**
Housing and Community Services Department:		
Operating Expenses		
General Fund	**Ch. 556 1**	**-3,465**
Other funds	**Ch. 556 2**	**-793,556**
Federal funds	**Ch. 556 4**	**-79,166**
Debt Service		
General Fund	**Ch. 556 5**	**-2,321,470**
Other funds	**Ch. 556 6**	**+33,240**
Lottery funds	**Ch. 556 3**	**-7,234,990**
Non-limited		
Other funds	**Ch. 556 7(3)**	**-7,709**
Department of Veterans' Affairs:		
Services Provided by the Department		
General Fund	**Ch. 471 1(1)**	**-80,837**
Lottery funds	**Ch. 471 2(1)**	**-51,774**
Debt Service		
Lottery funds	**Ch. 471 2(4)**	**-690,010**
Veteran Loans, Oregon Veterans' Homes		
Other funds	**Ch. 471 3(1)**	**-238,862**
Employment Department:		
Family and Medical Leave Insurance Program		
General Fund	**Ch. 426 1(2)**	**-3,991**
Other funds	**Ch. 426 2(3)**	**-64,681**
Unemployment Insurance, Shared Services and Workforce Operations, and Workforce and Economic Research		
Other funds	**Ch. 426 2(1)**	**-838,693**
Office of Administrative Hearings		
Other funds	**Ch. 426 2(2)**	**-150,666**
Modernization Initiative		
Other funds	**Ch. 426 2(4)**	**-243,749**
Operating Budget		
Federal funds	**Ch. 426 5**	**-1,444,089**

(4) EDUCATION.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Teacher Standards and Practices Commission:		
Operating Expenses		
Other funds	**Ch. 641 1**	**-$242,855**
Department of Education:		
Operations		
General Fund	**Ch. 603 1(1)**	**-3,479,423**
Other funds	**Ch. 603 5(2)**	**-633,614**
Federal funds	**Ch. 603 7(1)**	**-367,455**
Article XI-P General Obligation Bonds Debt Service		
General Fund	**Ch. 603 4**	**-1,956,319**
Higher Education Coordinating Commission:		
HECC programs and grants		
General Fund	**Ch. 660 1(1)**	**-494,020**
Other funds	**Ch. 660 6(1)**	**-36,918**
Federal funds	**Ch. 660 7**	**-59,193**
Debt Service		
Community Colleges		
General Fund	**Ch. 660 1(10)(b)**	**-2,677,692**
Debt Service		
Public Universities		
General Fund	**Ch. 660 1(10)(a)**	**-7,461,057**
Lottery Debt Service - From Administrative Services Economic Development Fund for Public Universities		
Lottery funds	**Ch. 660 2**	**-4,654,468**
Lottery Debt Service - From Administrative Services Economic Development Fund for Community Colleges		
Lottery funds	**Ch. 660 3**	**-1,545,583**
Debt Service - Lottery, general obligation bonds		
Public Universities		
Other funds	**Ch. 660 6(3)**	**+1,939,485**

(5) HUMAN SERVICES.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Long Term Care Ombudsman:		
General Program and Services		

Provided to Care Facility Residents		
General Fund	**Ch. 469 1(1)**	**-$33,561**
Public Guardian and Conservator Program		
General Fund	**Ch. 469 1(2)**	**-21,043**
Operating Expenses		
Other funds	**Ch. 469 2**	**-5,302**
Commission for the Blind:		
Operating Expenses		
General Fund	**Ch. 378 1**	**-33,596**
Other funds	**Ch. 378 2**	**-11,532**
Federal funds	**Ch. 378 3**	**-162,344**
Psychiatric Security Review Board:		
Operating Expenses		
General Fund	**Ch. 380 1**	**-53,732**
Department of Human Services:		
Central Services		
General Fund	**Ch. 606 1(1)**	**-106,286**
Other funds	**Ch. 606 2(1)**	**-14,795**
Federal funds	**Ch. 606 3(1)**	**-125,763**
State Assessments and Enterprise-Wide Costs		
General Fund	**Ch. 606 1(2)**	**-12,893,756**
Other funds	**Ch. 606 2(2)**	**-535,624**
Federal funds	**Ch. 606 3(2)**	**-7,349,430**
Self-Sufficiency Programs		
General Fund	**Ch. 606 1(3)**	**-196,634**
Other funds	**Ch. 606 2(3)**	**-1,357**
Federal funds	**Ch. 606 3(3)**	**-98,911**
Vocational Rehabilitation Services		
General Fund	**Ch. 606 1(4)**	**-8,608**
Other funds	**Ch. 606 2(4)**	**-755**
Federal funds	**Ch. 606 3(4)**	**-41,538**
Child Welfare		
General Fund	**Ch. 606 1(5)**	**-3,722,564**
Other funds	**Ch. 606 2(5)**	**-11,692**
Federal funds	**Ch. 606 3(5)**	**-2,375,227**
Aging and People With Disabilities Programs		
General Fund	**Ch. 606 1(6)**	**-235,189**
Other funds	**Ch. 606 2(6)**	**-16,108**
Federal funds	**Ch. 606 3(6)**	**-286,767**
Intellectual/Developmental Disabilities Programs		
General Fund	**Ch. 606 1(7)**	**-20,235**
Other funds	**Ch. 606 2(7)**	**-42**
Federal funds	**Ch. 606 3(7)**	**-37,821**
Debt Service		
General Fund	**Ch. 606 1(8)**	**-1,406,985**
Other funds	**Ch. 606 2(9)**	**+1,112,515**
Shared Services		
Other funds	**Ch. 606 2(8)**	**-156,595**
Oregon Health Authority: Health Systems, Health Policy and Analytics, and Public Health		
General Fund	**Ch. 668 1(1)**	**-272,508**
Other funds	**Ch. 668 2(1)**	**-311,188**
Lottery funds	**Ch. 668 3(1)**	**-97**
Federal funds	**Ch. 668 5(1)**	**-311,692**
Oregon State Hospital		
General Fund	**Ch. 668 1(2)**	**-166,598**
Other funds	**Ch. 668 2(2)**	**-36,811**
Federal funds	**Ch. 668 5(2)**	**-62**
Central Services, State Assessments and Enterprise-Wide Costs		
General Fund	**Ch. 668 1(3)**	**-12,869,243**
Other funds	**Ch. 668 2(3)**	**-1,981,320**
Federal funds	**Ch. 668 5(3)**	**-3,396,960**
Shared Administrative Services		
Other funds	**Ch. 668 2(4)**	**-39,051**

(6) JUDICIAL BRANCH.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Judicial Fit and Disability Commission:		
Administration		
General Fund	**Ch. 167 1(1)**	**-$16,357**
Judicial Department:		
Operations		
General Fund	**Ch. 557 1(2)**	**-2,426,205**
Debt Service		
General Fund	**Ch. 557 1(5)**	**-5,111,991**
Public Defense Services Commission:		
Administrative Services		
General Fund	**Ch. 444 1(8)**	**-190,407**

(7) LEGISLATIVE BRANCH.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Legislative Administration Committee:		
General Program		
General Fund	**Ch. 559 1(1)**	**-$204,324**
Debt Service		
General Fund	**Ch. 559 1(2)**	**-3,308,287**
Other funds	**Ch. 559 2(2)**	**+627,060**
Legislative Assembly:		
Biennial General Fund		
General Fund	**Ch. 559 6**	**-262,700**
Legislative Counsel Committee:		
Operating Expenses		
General Fund	**Ch. 559 11**	**-130,806**
Legislative Fiscal Officer:		
Operating Expenses		
General Fund	**Ch. 559 14(1)**	**-7,562**
Legislative Revenue Officer:		
Operating Expenses		
General Fund	**Ch. 559 16**	**-5,636**
Commission on Indian Services:		
Operating Expenses		
General Fund	**Ch. 559 17**	**-28,888**
Legislative Policy and		

Research Committee:		
Operating Expenses		
General Fund	**Ch. 559 15**	**-35,929**

(8) NATURAL RESOURCES.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
State Marine Board:		
Administration and Education		
Other funds	**Ch. 428 1(1)**	**-$90,157**
State Department of Energy:		
Operations		
Other funds	**Ch. 423 2**	**-269,199**
Federal funds	**Ch. 423 4**	**-561**
State Department of Geology and Mineral Industries:		
General Fund	**Ch. 5 1**	**+23,848**
Geologic Survey		
Other funds	**Ch. 5 2(1)**	**-4,024**
Mined Land Reclamation		
Other funds	**Ch. 5 2(2)**	**-2,670**
State Parks and Recreation Department:		
Director's Office		
Other funds	**Ch. 561 2(1)**	**-5,297**
Lottery funds	**Ch. 561 3(1)**	**-5,045**
Central Services		
Other funds	**Ch. 561 2(2)**	**-934,468**
Lottery funds	**Ch. 561 3(2)**	**-889,953**
Direct Services		
Other funds	**Ch. 561 2(4)**	**-169,981**
Lottery funds	**Ch. 561 3(4)**	**-161,884**
Debt Service		
Lottery funds	**Ch. 561 4**	**-864,620**
Land Use Board of Appeals:		
General Fund	**Ch. 439 1**	**+20,325**
Water Resources Department:		
Administrative Services		
General Fund	**Ch. 665 1(1)**	**-312,386**
Other funds	**Ch. 665 3(1)**	**-3,416**
Field Services		
General Fund	**Ch. 665 1(2)**	**-53,394**
Other funds	**Ch. 665 3(2)**	**-18,248**
Water Rights and Adjudications		
General Fund	**Ch. 665 1(3)**	**-14,033**
Other funds	**Ch. 665 3(3)**	**-23,674**
Technical Services		
General Fund	**Ch. 665 1(4)**	**-12,335**
Other funds	**Ch. 665 3(4)**	**-11,108**
Director's Office		
General Fund	**Ch. 665 1(5)**	**-49,829**
Debt Service		
Lottery funds	**Ch. 665 2**	**-7,485,210**
Oregon Watershed Enhancement Board:		
Operating Expenses, Activities and Projects		
Lottery funds	**Ch. 680 5**	**-81,602**
Department of State Lands:		
Common School Fund Programs		
Other funds	**Ch. 607 1(1)**	**-781,005**
South Slough National Estuarine Research Reserve Operations		
Other funds	**Ch. 607 1(3)**	**-453**
State Department of Agriculture:		
Administrative and Support Services		
General Fund	**Ch. 600 1(1)**	**-10,120**
Other funds	**Ch. 600 2(1)**	**-32,221**
Food Safety		
General Fund	**Ch. 600 1(2)**	**-99,522**
Other funds	**Ch. 600 2(2)**	**-201,523**
Federal funds	**Ch. 600 4(2)**	**-5,700**
Natural Resources		
General Fund	**Ch. 600 1(3)**	**-50,185**
Other funds	**Ch. 600 2(3)**	**-188,772**
Federal funds	**Ch. 600 4(3)**	**-28,785**
Market Access		
General Fund	**Ch. 600 1(4)**	**-39,189**
Other funds	**Ch. 600 2(4)**	**-154,513**
Federal funds	**Ch. 600 4(4)**	**-24,874**
Parks and Natural Resources Fund		
Lottery funds	**Ch. 600 3**	**-75,930**
Department of Environmental Quality:		
Air Quality		
General Fund	**Ch. 673 1(1)**	**-21,043**
Other funds	**Ch. 673 2(1)**	**-363,227**
Federal funds	**Ch. 673 5(1)**	**-3,361**
Water Quality		
General Fund	**Ch. 673 1(2)**	**-25,425**
Other funds	**Ch. 673 2(2)**	**-98,503**
Federal funds	**Ch. 673 5(2)**	**-287,782**
Land Quality		
Other funds	**Ch. 673 2(3)**	**-400,443**
Federal funds	**Ch. 673 5(3)**	**-3,685**
Agency Management		
Other funds	**Ch. 673 2(4)**	**-1,250,464**
Parks and Natural Resources Fund		
Lottery funds	**Ch. 673 3**	**-6,402**
State Department of Fish and Wildlife:		
Fish Division		
General Fund	**Ch. 679 1(1)**	**-69**
Other funds	**Ch. 679 2(1)**	**-446,546**
Lottery funds	**Ch. 679 3(1)**	**-30**
Federal funds	**Ch. 679 4(1)**	**-121**
Wildlife Division		
General Fund	**Ch. 679 1(2)**	**-349**
Other funds	**Ch. 679 2(2)**	**-255,794**
Lottery funds	**Ch. 679 3(2)**	**-58**
Federal funds	**Ch. 679 4(2)**	**-1,843**
Administrative Services Division		
General Fund	**Ch. 679 1(3)**	**-41,537**
Other funds	**Ch. 679 2(3)**	**-2,078,639**
State Forestry Department:		
Agency Administration		
Other funds	**Ch. 605 2(1)**	**-1,559,761**
Federal funds	**Ch. 605 4(1)**	**-1,138**
Fire Protection		
General Fund	**Ch. 605 1(2)**	**-699,452**
Other funds	**Ch. 605 2(2)**	**-100,353**
Federal funds	**Ch. 605 4(2)**	**-62,451**
Private Forests		

General Fund	Ch. 605 1(4)	-167,457
Other funds	Ch. 605 2(5)	-15,136
Federal funds	Ch. 605 4(5)	-11,788
Debt Service		
General Fund	Ch. 605 1(5)	-2,059
Other funds	Ch. 605 2(7)	+2,060
State Forests		
Other funds	Ch. 605 2(3)	-107,181
Federal funds	Ch. 605 4(3)	-875
Federal Forest Restoration		
General Fund	Ch. 605 1(3)	-18,249
Equipment Pool		
Other funds	Ch. 605 2(8)	-29,419
Facilities Maintenance and Management		
Other funds	Ch. 605 2(9)	-1,785
Department of Land Conservation and Development:		
Planning Program		
General Fund	Ch. 438 1(1)	-170,597
Other funds	Ch. 438 2	-2,493
Federal funds	Ch. 438 3	-48,580
Columbia River Gorge Commission:		
Operating Expenses		
General Fund	Ch. 432 1	-1,251

(9) PUBLIC SAFETY.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
State Board of Parole and Post-Prison Supervision:		
General Fund	Ch. 429 1	-$133,859
Department of State Police:		
Patrol Services, Criminal Investigations, Gaming Enforcement and Office of the State Fire Marshal		
General Fund	Ch. 470 1(1)	-1,764,766
Other funds	Ch. 470 2(1)	-604,732
Federal funds	Ch. 470 3(1)	-17,855
Fish and Wildlife Enforcement		
General Fund	Ch. 470 1(2)	-180,468
Other funds	Ch. 470 2(2)	-240,393
Federal funds	Ch. 470 3(2)	-2,319
Forensic Services and Chief Medical Examiner		
General Fund	Ch. 470 1(3)	-174,006
Other funds	Ch. 470 2(3)	-434
Federal funds	Ch. 470 3(3)	-812
Administrative Services, Agency Support and Criminal Justice Information Services		
General Fund	Ch. 470 1(4)	-483,686
Other funds	Ch. 470 2(4)	-68,454
Federal funds	Ch. 470 3(4)	-19,753
Department of Corrections:		
Operations and Health Services		
Other funds	Ch. 468 2(1)	-463,297
Central Administration and Administrative Services		
General Fund	Ch. 468 1(2)	-11,413,687
Other funds	Ch. 468 2(2)	-280,760
Debt Service		
General Fund	Ch. 468 1(5)	-1,344,623
Oregon Criminal Justice Commission:		
General Fund	Ch. 379 1	-117,953
Other funds	Ch. 379 3	-531
Federal funds	Ch. 379 4	-133
District Attorneys and Deputies:		
Department of Justice for District Attorneys		
General Fund	Ch. 433 1	-223,358
Department of Justice:		
Office of the Attorney General and Administration		
General Fund	Ch. 427 1(1)	-2,553
Other funds	Ch. 427 2(1)	-166,372
Appellate Division		
General Fund	Ch. 427 1(2)	-22,375
Other funds	Ch. 427 2(2)	-62,550
Criminal Justice Division		
General Fund	Ch. 427 1(3)	-67,301
Other funds	Ch. 427 2(4)	-112,150
Federal funds	Ch. 427 3(2)	-304
Crime Victim and Survivor Services Division		
General Fund	Ch. 427 1(4)	-25,051
Other funds	Ch. 427 2(5)	-81,464
Federal funds	Ch. 427 3(3)	-50,134
Defense of Criminal Convictions		
General Fund	Ch. 427 1(5)	-1,906,462
Division of Child Support		
General Fund	Ch. 427 1(6)	-294,558
Other funds	Ch. 427 2(8)	-155,495
Federal funds	Ch. 427 3(4)	-811,203
Civil Enforcement Division		
Other funds	Ch. 427 2(3)	-1,058,659
Federal funds	Ch. 427 3(1)	-25,480
General Counsel Division		
Other funds	Ch. 427 2(6)	-242,529
Trial Division		
Other funds	Ch. 427 2(7)	-272,137
Oregon Military Department:		
Administration		
General Fund	Ch. 662 1(1)	-419,147
Other funds	Ch. 662 2(1)	-3,320
Operations		
General Fund	Ch. 662 1(2)	-152,755
Other funds	Ch. 662 2(2)	-10,541
Federal funds	Ch. 662 3(1)	-679,018
Emergency Management		
General Fund	Ch. 662 1(3)	-446,105
Other funds	Ch. 662 2(3)	-117,652
Federal funds	Ch. 662 3(2)	-10,391
Community Support		
General Fund	Ch. 662 1(4)	-5,875
Other funds	Ch. 662 2(4)	-13,787
Federal funds	Ch. 662 3(3)	-37,944
Debt Service		
General Fund	Ch. 662 1(5)	-270,250
Department of Public Safety Standards and Training:		
Operations		
Other funds	Ch. 381 2(1)	-410,560

Federal funds	**Ch. 381 3**	**-2,797**
Oregon Youth Authority:		
Facility Programs		
General Fund	**Ch. 430 1(1)**	**-155,820**
Community Programs		
General Fund	**Ch. 430 1(2)**	**-159,342**
Federal funds	**Ch. 430 3(1)**	**-32,267**
Program Support		
General Fund	**Ch. 430 1(3)**	**-2,788,587**
Federal funds	**Ch. 430 3(2)**	**-97,549**
Debt Service		
General Fund	**Ch. 430 1(6)**	**-4,808,726**
Other funds	**Ch. 430 2(4)**	**+1,137,980**

(10) TRANSPORTATION.

Agency/Program/Funds	**2021 Oregon Laws Chapter/ Section**	**Adjustment**
Oregon Department of Aviation:		
Operations		
Other funds	**Ch. 602 1(1)**	**-$31,667**
Department of Transportation:		
Debt Service		
General Fund	**Ch. 442 1**	**-547**
Other funds	**Ch. 442 2(18)**	**+550**
Lottery funds	**Ch. 442 4**	**-3,539,712**
Maintenance and Emergency Relief Program		
Other funds	**Ch. 442 2(2)**	**-4,932,261**
Preservation Program		
Other funds	**Ch. 442 2(3)**	**-998**
Bridge Program		
Other funds	**Ch. 442 2(4)**	**-3,137**
Operations Program		
Other funds	**Ch. 442 2(5)**	**-20,692**
Modernization Program		
Other funds	**Ch. 442 2(6)**	**-40,581**
Special Programs		
Other funds	**Ch. 442 2(7)**	**-664,181**
Local Government Program		
Other funds	**Ch. 442 2(8)**	**-807**
Driver and Motor Vehicle Services		
Other funds	**Ch. 442 2(9)**	**-367,454**
Commerce and Compliance		
Other funds	**Ch. 442 2(10)**	**-16,288**
Policy, Data and Analysis		
Other funds	**Ch. 442 2(11)**	**-19,610**
Federal funds	**Ch. 442 3(3)**	**-326**
Public Transit		
Other funds	**Ch. 442 2(12)**	**-197**
Rail		
Other funds	**Ch. 442 2(13)**	**-60,120**
Federal funds	**Ch. 442 3(5)**	**-72,556**
Transportation Safety		
Other funds	**Ch. 442 2(14)**	**-521**
Federal funds	**Ch. 442 3(6)**	**-195**
Support Services		
Other funds	**Ch. 442 2(15)**	**-3,221,439**
Headquarters		
Other funds	**Ch. 442 2(16)**	**-9,018**
Finance and Budget		
Other funds	**Ch. 442 2(17)**	**-1,760,106**

SECTION 300. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Approved by the Governor August 6, 2021
Filed in the office of Secretary of State August 6, 2021
Effective date August 6, 2021

HB 5006 A BUDGET REPORT and MEASURE SUMMARY **Carrier:** Sen. Steiner Hayward

Joint Committee On Ways and Means

Action Date:	06/24/21
Action:	Do pass the A-Eng bill.
Senate Vote	
Yeas:	12 - Anderson, Frederick, Girod, Golden, Gorsek, Hansell, Johnson, Knopp, Lieber, Steiner Hayward, Taylor, Thomsen
House Vote	
Yeas:	10 - Bynum, Drazan, Gomberg, Leif, McLain, Nosse, Rayfield, Sanchez, Sollman, Stark
Exc:	1 - Smith G
Prepared By:	Julie Neburka, Legislative Fiscal Office
Reviewed By:	Laurie Byerly and Theresa McHugh, Legislative Fiscal Office

Emergency Board
2021-23

Various Agencies
2021-23

Public Defense Services Commission
2019-21

Budget Summary*	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
Emergency Board			
General Fund - General Purpose		$ 50,000,000	$ 50,000,000
General Fund - Special Purpose Appropriations			
State Employee Compensation		$ 198,000,000	$ 198,000,000
Non-State Employee Compensation		$ 20,000,000	$ 20,000,000
Family Treatment Court Programs		$ 10,000,000	$ 10,000,000
Pre-trial Release (SB 48)		$ 2,500,000	$ 2,500,000
State Response to Natural Disasters		$ 150,000,000	$ 150,000,000
Transforming Justice Initiative		$ 10,000,000	$ 10,000,000
Department of Early Learning and Care		$ 5,130,265	$ 5,130,265
Dental Rates		$ 19,000,000	$ 19,000,000
OHA/DHS Caseload Costs		$ 55,000,000	$ 55,000,000
Essential Workforce Health Care Program		$ 30,000,000	$ 30,000,000
ADMINISTRATION PROGRAM AREA			
Department of Administrative Services			
General Fund		$ 76,777,383	$ 76,777,383
General Fund Debt Service		$ (600,308)	$ (600,308)
Lottery Funds Debt Service		$ (4,316,625)	$ (4,316,625)
Other Funds		$ 180,076,580	$ 180,076,580
Other Funds Debt Service		$ 5,189,112	$ 5,189,112
Federal Funds		$ 2,378,604,743	$ 2,378,604,743
Advocacy Commissions Office			
General Fund		$ 212,032	$ 212,032
Employment Relations Board			
General Fund		$ (77,831)	$ (77,831)
Other Funds		$ (51,846)	$ (51,846)
Oregon Government Ethics Commission			
Other Funds		$ (92,004)	$ (92,004)
Office of the Governor			
General Fund		$ (476,684)	$ (476,684)
Lottery Funds		$ (72,430)	$ (72,430)
Other Funds		$ (92,512)	$ (92,512)

Budget Summary*	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
Oregon Liquor Control Commission			
Other Funds		$ 27,639,318	$ 27,639,318
Other Funds Debt Service		$ 7,547,093	$ 7,547,093
Public Employees Retirement System			
Lottery Funds		$ 16,792,238	$ 16,792,238
Other Funds		$ (3,588,447)	$ (3,588,447)
Racing Commission			
Other Funds		$ (40,195)	$ (40,195)
Department of Revenue			
General Fund		$ 22,566,168	$ 22,566,168
General Fund Debt Service		$ (116,730)	$ (116,730)
Other Funds		$ 3,758,567	$ 3,758,567
Other Funds Debt Service		$ 790,000	$ 790,000
Secretary of State			
General Fund		$ 2,283,134	$ 2,283,134
Other Funds		$ (552,483)	$ (552,483)
Federal Funds		$ (6,971)	$ (6,971)
State Library			
General Fund		$ (70,697)	$ (70,697)
Other Funds		$ (216,816)	$ (216,816)
Federal Funds		$ 2,924,165	$ 2,924,165
State Treasurer			
Other Funds		$ (621,233)	$ (621,233)
CONSUMER AND BUSINESS SERVICES PROGRAM AREA			
State Board of Accountancy			
Other Funds		$ (88,512)	$ (88,512)
Chiropractic Examiners Board			
Other Funds		$ (79,230)	$ (79,230)

Budget Summary*	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
Consumer and Business Services			
General Fund		$ 10,678,004	$ 10,678,004
Other Funds		$ (16,962,773)	$ (16,962,773)
Federal Funds		$ (1,813,776)	$ (1,813,776)
Construction Contractors Board			
Other Funds		$ (186,817)	$ (186,817)
Board of Dentistry			
Other Funds		$ (23,039)	$ (23,039)
Health Related Licensing Boards			
State Mortuary and Cemetery Board			
Other Funds		$ (54,881)	$ (54,881)
Board of Naturopathic Medicine			
Other Funds		$ (31,572)	$ (31,572)
Occupational Therapy Licensing Board			
Other Funds		$ (14,198)	$ (14,198)
Board of Medical Imaging			
Other Funds		$ (30,351)	$ (30,351)
State Board of Examiners for Speech-Language Pathology and Audiology			
Other Funds		$ (26,641)	$ (26,641)
Oregon State Veterinary Medical Examining Board			
Other Funds		$ (31,762)	$ (31,762)
Bureau of Labor and Industries			
General Fund		$ 2,150,530	$ 2,150,530
Other Funds		$ (142,287)	$ (142,287)
Federal Funds		$ (14,786)	$ (14,786)
Licensed Social Workers, Board of			
Other Funds		$ (86,002)	$ (86,002)
Oregon Medical Board			
Other Funds		$ (84,573)	$ (84,573)

Budget Summary*	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
Mental Health Regulatory Agency			
General Fund		$ 300,000	$ 300,000
Other Funds		$ (145,731)	$ (145,731)
Board of Nursing			
Other Funds		$ (123,016)	$ (123,016)
Board of Pharmacy			
Other Funds		$ (65,797)	$ (65,797)
Public Utility Commission			
Other Funds		$ (383,286)	$ (383,286)
Real Estate Agency			
Other Funds		$ (66,208)	$ (66,208)
Board of Tax Practitioners			
Other Funds		$ (69,152)	$ (69,152)
ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAM AREA			
Oregon Business Development Department			
General Fund		$ 84,378,762	$ 84,378,762
General Fund Debt Service		$ 3,868,512	$ 3,868,512
Lottery Funds		$ 13,325,399	$ 13,325,399
Lottery Funds Debt Service		$ (3,989,798)	$ (3,989,798)
Other Funds		$ 674,834,190	$ 674,834,190
Other Funds Debt Service		$ 5,800	$ 5,800
Other Funds Nonlimited		$ 90,000,000	$ 90,000,000
Federal Funds		$ (1,674)	$ (1,674)
Employment Department			
General Fund		$ (3,991)	$ (3,991)
Other Funds		$ (425,511)	$ (425,511)
Federal Funds		$ (1,444,089)	$ (1,444,089)

Budget Summary*	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
Housing and Community Services Department			
General Fund		$ 272,205,984	$ 272,205,984
General Fund Debt Service		$ 19,081,360	$ 19,081,360
Lottery Funds Debt Service		$ (5,045,010)	$ (5,045,010)
Other Funds		$ 60,014,215	$ 60,014,215
Other Funds Debt Service		$ 33,240	$ 33,240
Other Funds Nonlimited		$ (7,709)	$ (7,709)
Federal Funds		$ (79,166)	$ (79,166)
Department of Veterans' Affairs			
General Fund		$ (80,837)	$ (80,837)
Lottery Funds		$ 123,226	$ 123,226
Lottery Funds Debt Service		$ (190,826)	$ (190,826)
Other Funds		$ 5,874,346	$ 5,874,346
EDUCATION PROGRAM AREA			
State School Fund			
General Fund		$ (27,849,006)	$ (27,849,006)
Lottery Funds		$ 219,059,876	$ 219,059,876
Other Funds		$ 8,789,130	$ 8,789,130
Department of Education			
General Fund		$ 519,250	$ 519,250
General Fund Debt Service		$ (1,290,011)	$ (1,290,011)
Other Funds		$ 143,325,528	$ 143,325,528
Other Funds Debt Service		$ 330	$ 330
Federal Funds		$ (367,455)	$ (367,455)
Higher Education Coordinating Commission			
General Fund		$ 15,011,738	$ 15,011,738
General Fund Debt Service		$ (8,497,705)	$ (8,497,705)
Lottery Funds Debt Service		$ (6,200,051)	$ (6,200,051)
Other Funds		$ 39,003,000	$ 39,003,000
Other Funds Debt Service		$ 2,470,060	$ 2,470,060
Other Funds Debt Service Nonlimited		$ (10,321,594)	$ (10,321,594)
Federal Funds		$ (59,193)	$ (59,193)

Budget Summary*	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
Teacher Standards and Practices Commission			
Other Funds		$ (242,855)	$ (242,855)
HUMAN SERVICES PROGRAM AREA			
Commission for the Blind			
General Fund		$ (33,596)	$ (33,596)
Other Funds		$ (11,532)	$ (11,532)
Federal Funds		$ (162,344)	$ (162,344)
Oregon Health Authority			
General Fund		$ (307,082,178)	$ (307,082,178)
General Fund Debt Service		$ 958,626	$ 958,626
Lottery Funds		$ (97)	$ (97)
Other Funds		$ 335,156,675	$ 335,156,675
Federal Funds		$ (3,708,714)	$ (3,708,714)
Department of Human Services			
General Fund		$ 65,114,746	$ 65,114,746
General Fund Debt Service		$ (1,406,985)	$ (1,406,985)
Other Funds		$ 108,991,448	$ 108,991,448
Other Funds Debt Service		$ 1,112,515	$ 1,112,515
Federal Funds		$ (8,501,838)	$ (8,501,838)
Long Term Care Ombudsman			
General Fund		$ (54,604)	$ (54,604)
Other Funds		$ (5,302)	$ (5,302)
Psychiatric Security Review Board			
General Fund		$ (53,732)	$ (53,732)
JUDICIAL BRANCH			
Judicial Department			
General Fund		$ 403,673	$ 403,673
General Fund Debt Service		$ (5,111,991)	$ (5,111,991)
Other Funds		$ 105,627,958	$ 105,627,958

Budget Summary*	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
Commission on Judicial Fitness and Disability			
General Fund		$ (16,357)	$ (16,357)
Public Defense Services Commission			
General Fund		$ (190,407)	$ (190,407)
LEGISLATIVE BRANCH			
Legislative Administration Committee			
General Fund		$ (204,324)	$ (204,324)
General Fund Debt Service		$ (2,644,700)	$ (2,644,700)
Other Funds		$ 4,310,000	$ 4,310,000
Other Funds Debt Service		$ 627,060	$ 627,060
Legislative Assembly			
General Fund		$ (262,700)	$ (262,700)
Legislative Commission on Indian Services			
General Fund		$ (28,888)	$ (28,888)
Legislative Counsel			
General Fund		$ (130,806)	$ (130,806)
Legislative Fiscal Office			
General Fund		$ (7,562)	$ (7,562)
Legislative Policy and Research Office			
General Fund		$ (35,929)	$ (35,929)
Legislative Revenue Office			
General Fund		$ (5,636)	$ (5,636)
NATURAL RESOURCES PROGRAM AREA			
Columbia River Gorge Commission			
General Fund		$ (1,251)	$ (1,251)

Budget Summary*

	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
State Department of Agriculture			
General Fund		$ 2,302,669	$ 2,302,669
Lottery Funds		$ (75,930)	$ (75,930)
Other Funds		$ (577,029)	$ (577,029)
Federal Funds		$ (59,359)	$ (59,359)
State Department of Energy			
General Fund		$ 20,831,296	$ 20,831,296
General Fund Debt Service		$ 3,500,000	$ 3,500,000
Other Funds		$ 9,978,775	$ 9,978,775
Federal Funds		$ (561)	$ (561)
Department of Environmental Quality			
General Fund		$ 4,293,013	$ 4,293,013
General Fund Debt Service		$ 395,030	$ 395,030
Lottery Funds		$ (6,402)	$ (6,402)
Other Funds		$ 17,187,363	$ 17,187,363
Other Funds Debt Service		$ (300,000)	$ (300,000)
Federal Funds		$ (294,828)	$ (294,828)
State Department of Fish and Wildlife			
General Fund		$ 1,288,101	$ 1,288,101
General Fund Debt Service		$ 446,579	$ 446,579
Lottery Funds		$ (88)	$ (88)
Other Funds		$ 3,414,021	$ 3,414,021
Federal Funds		$ (1,964)	$ (1,964)
Department of Forestry			
General Fund		$ 5,468,079	$ 5,468,079
General Fund Debt Service		$ 363,596	$ 363,596
Other Funds		$ (1,242,680)	$ (1,242,680)
Other Funds Debt Service		$ 404,124	$ 404,124
Other Funds Capital Improvements		$ 4,820,772	$ 4,820,772
Federal Funds		$ (76,252)	$ (76,252)

Budget Summary*	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
Department of Geology and Mineral Industries			
General Fund		$ 352,558	$ 352,558
Other Funds		$ (180,158)	$ (180,158)
Federal Funds		$ (155,246)	$ (155,246)
Department of Land Conservation and Development			
General Fund		$ 3,341,733	$ 3,341,733
Other Funds		$ (2,493)	$ (2,493)
Federal Funds		$ (48,580)	$ (48,580)
Land Use Board of Appeals			
General Fund		$ 70,325	$ 70,325
Oregon Marine Board			
Other Funds		$ (90,157)	$ (90,157)
Department of Parks and Recreation			
General Fund		$ 316,480	$ 316,480
General Fund Debt Service		$ 2,232,560	$ 2,232,560
Lottery Funds		$ (1,056,882)	$ (1,056,882)
Lottery Funds Debt Service		$ (449,808)	$ (449,808)
Other Funds		$ 9,854,807	$ 9,854,807
Department of State Lands			
Other Funds		$ 278,542	$ 278,542
Water Resources Department			
General Fund		$ 4,708,023	$ 4,708,023
Lottery Funds Debt Service		$ (3,970,980)	$ (3,970,980)
Other Funds		$ 92,085,895	$ 92,085,895
Watershed Enhancement Board			
General Fund		$ 20,420,000	$ 20,420,000
Lottery Funds		$ (81,602)	$ (81,602)

Budget Summary*	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
PUBLIC SAFETY PROGRAM AREA			
Oregon Criminal Justice Commission			
General Fund		$ 15,260,442	$ 15,260,442
Other Funds		$ 9,999,469	$ 9,999,469
Federal Funds		$ (133)	$ (133)
Department of Corrections			
General Fund		$ (850,587,024)	$ (850,587,024)
General Fund Debt Service		$ 9,041,899	$ 9,041,899
Other Funds		$ 871,784,778	$ 871,784,778
Other Funds Debt Service		$ 700,870	$ 700,870
District Attorneys and their Deputies			
General Fund		$ (223,358)	$ (223,358)
Department of Justice			
General Fund		$ 14,032,460	$ 14,032,460
Other Funds		$ (1,703,572)	$ (1,703,572)
Federal Funds		$ (887,121)	$ (887,121)
Oregon Military Department			
General Fund		$ 25,697,037	$ 25,697,037
General Fund Debt Service		$ 1,881,079	$ 1,881,079
Other Funds		$ 10,338,860	$ 10,338,860
Federal Funds		$ 5,993,566	$ 5,993,566
Oregon Board of Parole and Post-Prison Supervision			
General Fund		$ (133,859)	$ (133,859)
Oregon State Police			
General Fund		$ 192,065	$ 192,065
General Fund Debt Service		$ 2,674,818	$ 2,674,818
Other Funds		$ 3,255,070	$ 3,255,070
Federal Funds		$ (40,739)	$ (40,739)

Budget Summary*	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
Department of Public Safety Standards and Training			
Other Funds		$ 790,679	$ 790,679
Federal Funds		$ (2,797)	$ (2,797)
Oregon Youth Authority			
General Fund		$ (99,885,993)	$ (99,885,993)
General Fund Debt Service		$ (326,464)	$ (326,464)
Other Funds		$ 114,476,380	$ 114,476,380
Other Funds Debt Service		$ 1,137,980	$ 1,137,980
Federal Funds		$ (129,816)	$ (129,816)
TRANSPORTATION PROGRAM AREA			
Department of Aviation			
Other Funds		$ 4,571,958	$ 4,571,958
Department of Transportation			
General Fund		$ 3,250,000	$ 3,250,000
General Fund Debt Service		$ (547)	$ (547)
Lottery Funds		$ 650,000	$ 650,000
Lottery Funds Debt Service		$ (3,210,960)	$ (3,210,960)
Other Funds		$ 119,733,929	$ 119,733,929
Other Funds Debt Service		$ 550	$ 550
Federal Funds		$ (73,077)	$ (73,077)
2021-23 Budget Summary			
General Fund Total	$ -	$ (63,441,300)	$ (63,441,300)
General Fund Debt Service Total	$ -	$ 24,448,618	$ 24,448,618
Lottery Funds Total	$ -	$ 248,657,308	$ 248,657,308
Lottery Funds Debt Service Total	$ -	$ (27,374,058)	$ (27,374,058)
Other Funds Total	$ -	$ 2,936,718,828	$ 2,936,718,828
Other Funds Debt Service Total	$ -	$ 19,718,734	$ 19,718,734
Other Funds Debt Service Nonlimited Total	$ -	$ (10,321,594)	$ (10,321,594)
Other Funds Capital Improvements	$ -	$ 4,820,772	$ 4,820,772
Other Funds Nonlimited	$ -	$ 89,992,291	$ 89,992,291
Federal Funds Total	$ -	$ 2,369,591,995	$ 2,369,591,995

Budget Summary*	2019-21 Legislatively Approved Budget	2019-21 Committee Recommendation	Committee Change
Public Defense Services Commission			
Other Funds		$ 92,721	$ 92,721

Position Summary

	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
ADMINISTRATION PROGRAM AREA			
Department of Administrative Services			
Authorized Positions		6	6
Full-time Equivalent (FTE) positions		6.00	6.00
Oregon Advocacy Commissions			
Authorized Positions		1	1
Full-time Equivalent (FTE) positions		1.00	1.00
Oregon State Library			
Authorized Positions		1	1
Full-time Equivalent (FTE) positions		1.00	1.00
Department of Revenue			
Authorized Positions		12	12
Full-time Equivalent (FTE) positions		7.76	7.76
Secretary of State			
Authorized Positions		1	1
Full-time Equivalent (FTE) positions		1.00	1.00
CONSUMER AND BUSINESS SERVICES PROGRAM AREA			
Consumer and Business Services			
Authorized Positions		(20)	(20)
Full-time Equivalent (FTE) positions		(21.00)	(21.00)
Bureau of Labor and Industries			
Authorized Positions		8	8.00
Full-time Equivalent (FTE) positions		8.00	8.00

Position Summary

	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAM AREA			
Oregon Business Development Department			
Authorized Positions		15	15
Full-time Equivalent (FTE) positions		15.00	15.00
Employment Department			
Authorized Positions		10	10
Full-time Equivalent (FTE) positions		5.00	5.00
Housing and Community Services			
Authorized Positions		15	15
Full-time Equivalent (FTE) positions		13.77	13.77
EDUCATION PROGRAM AREA			
Department of Education			
Authorized Positions		14	14
Full-time Equivalent (FTE) positions		12.92	12.92
HUMAN SERVICES PROGRAM AREA			
Oregon Health Authority			
Authorized Positions		23	23
Full-time Equivalent (FTE) positions		21.84	21.84
Department of Human Services			
Authorized Positions		14	14
Full-time Equivalent (FTE) positions		12.00	12.00
JUDICIAL BRANCH			
Judicial Department			
Authorized Positions		16	16
Full-time Equivalent (FTE) positions		13.08	13.08

Position Summary

	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
NATURAL RESOURCES PROGRAM AREA			
State Department of Agriculture			
Authorized Positions		3	3
Full-time Equivalent (FTE) positions		2.92	2.92
Department of Energy			
Authorized Positions		6	6
Full-time Equivalent (FTE) positions		5.50	5.50
Department of Environmental Quality			
Authorized Positions		2	2
Full-time Equivalent (FTE) positions		2.00	2.00
Department of Fish and Wildlife			
Authorized Positions		3	3
Full-time Equivalent (FTE) positions		3.00	3.00
Department of Forestry			
Authorized Positions		6	6
Full-time Equivalent (FTE) positions		5.25	5.25
Department of Land Conservation and Development			
Authorized Positions		2	2
Full-time Equivalent (FTE) positions		2.00	2.00
Department of Parks and Recreation			
Authorized Positions		1	1
Full-time Equivalent (FTE) positions		0.88	0.88
Water Resources Department			
Authorized Positions		3	3
Full-time Equivalent (FTE) positions		3.00	3.00

Position Summary	2019-21 Legislatively Approved Budget	2021-23 Committee Recommendation	Committee Change
Watershed Enhancement Board			
Authorized Positions		3	3
Full-time Equivalent (FTE) positions		3.00	3.00
PUBLIC SAFETY PROGRAM AREA			
Department of Justice			
Authorized Positions		8	8
Full-time Equivalent (FTE) positions		7.01	7.01
Department of Corrections			
Authorized Positions		1	1
Full-time Equivalent (FTE) positions		1.00	1.00
Criminal Justice Commission			
Authorized Positions		1	1
Full-time Equivalent (FTE) positions		1.00	1.00
TRANSPORTATION PROGRAM AREA			
Department of Transportation			
Authorized Positions		2	2
Full-time Equivalent (FTE) positions		1.00	1.00

Summary of Revenue Changes

The General Fund appropriations made in the bill are within resources available as projected in the May 2021 economic and revenue forecast by the Department of Administrative Services (DAS), Office of Economic Analysis, plus other actions to adjust state agency expenditures. Federal Funds revenues include American Rescue Plan Act (ARPA) Coronavirus State Fiscal Recovery and Capital Projects Funds allocations of $2.6 billion and $155.2 million, respectively, as well as other direct ongoing federal funding streams and allocations for specific purposes, some of which are also related to the effects of the pandemic.

Summary of Capital Construction Subcommittee Action

HB 5006 appropriates General Fund to the Emergency Board for general purpose and targeted special purpose appropriations and makes other adjustments to agency budgets and position authority as described in the subsequent narrative.

Emergency Board

The Emergency Board allocates General Fund from the Emergency Fund, along with providing Lottery Funds, Other Funds, and Federal Funds expenditure limitation to state agencies for unanticipated needs in approved agency budgets when the Legislature is not in session. The Subcommittee appropriated $50 million General Fund to the Emergency Board for general purposes.

The Subcommittee established a reservation within the general purpose Emergency Fund of $650,000 for the Secretary of State for potential voter's pamphlet costs in excess of funding provided in the agency's adopted budget. The Secretary of State may request allocation of the reservation from the Emergency Board if the actual costs of producing the voter's pamphlet are in excess of funding provided in the agency's 2021-23 legislatively adopted budget.

HB 5006 makes ten special purpose appropriations for the Emergency Board, totaling $499.6 million General Fund. Agencies must make a request to the Emergency Board to access these funds. The ten special purpose appropriations are:

- $198 million General Fund for state employee compensation changes.
- $20 million General Fund for allocation to state agencies for compensation changes driven by collective bargaining for workers who are not state employees.
- $2.5 million General Fund for allocation to the Oregon Judicial Department for the implementation of pretrial release modifications authorized under SB 48 (2021).
- $150 million General Fund for allocation for the state's natural disaster prevention, preparedness, response, and recovery activities.

- $10 million General Fund for allocation to the Criminal Justice Commission to support a Transforming Justice Initiative to advance promising practices for reshaping Oregon's public safety system.
- $5,130,265 General Fund for allocation to the Department of Education and the proposed Department of Early Learning and Care for the establishment of a new agency.
- $19 million General Fund for allocation to the Oregon Health Authority for dental rates for medical assistance programs.
- $55 million for allocation to the Oregon Health Authority or the Department of Human Services for caseload costs or other budget challenges that the agencies are unable to mitigate.
- $30 million General Fund for allocation to the Oregon Health Authority for the Oregon Essential Workforce Health Care Program established by SB 800 (2021).
- $10 million General Fund for allocation to state agencies for family treatment court programs.

Regarding family treatment courts, while related legislation was not passed during the 2021 legislative session, the Legislature would still like to see the development of a statewide coordinated program. In addition to approving the special purpose appropriation, the Subcommittee recommended the following budget note:

BUDGET NOTE

On or before February 1, 2022, the Oregon Judicial Department, Public Defense Services Commission, Department of Justice, Department of Human Services, Criminal Justice Commission, and the Housing and Community Services Department are requested to report jointly to the Legislature on the criteria and need for the establishment of a statewide Family Treatment Court program, and possible alternative programs to achieve the objectives of a Family Treatment Court Program. The report is to be submitted to the House and Senate Committees on Judiciary and the Joint Committee on Ways and Means.

The report is to include the following:

(1) A proposed statewide, integrated structure and organizational principles for a Family Treatment Court program based on national best practices adapted for Oregon, including:
    a. a delineation of the eligibility and exclusion criteria indicating which families can be served safely and effectively in the Family Treatment Court ensuring equity and inclusion;
    b. a proposed method to encourage voluntary participation by families balanced with necessary monitoring of participant progress and compliance with the program; and
    c. the array of services, treatment, programs, and providers necessary to address the complex challenges affecting families. Such services might include but are not limited to interdisciplinary legal representation

teams, and behavioral and mental health, substance abuse, domestic violence, housing, parenting, educational, and medical services.

(2) A least-cost implementation model based on existing legislative funding for:
   a. Family Treatment programs in circuit courts;
   b. Child advocacy legal representation provided by the Department of Justice to the Department of Human Services;
   c. Public defense for both juvenile representation as well as the Parent Child Representation Program;
   d. The provision of services to families in child welfare cases by the Department of Human Services;
   e. Behavioral, mental health, and substance use disorder treatment; and
   f. Transitional and permanent housing services.

(3) Identification of three least-cost implementation counties that could serve as pilot locations for a Family Treatment Court Program, including a cost estimate for the aforementioned types of services in the pilot counties.

(4) An evidence-based method for monitoring progress and outcomes, and an evaluation of the program.

Receipt of the report is a precondition for the release of the special purpose appropriation established by HB 5006 for the expansion of Family Treatment Courts.

If these special purpose appropriations are not allocated by the Emergency Board before December 1, 2022, any remaining funds become available to the Emergency Board for general purposes.

Adjustments to Approved 2021-23 Agency Budgets

STATEWIDE ADJUSTMENTS

Statewide adjustments reflect budget changes in multiple agencies based on reductions in Department of Administrative Services' assessments and charges for services and Attorney General rates. Statewide adjustments also reflect net reductions to debt service realized through interest rate savings on bond sales, refundings, unissued lottery bonds, and Other Funds balances and interest earnings that can be applied to debt service. Total savings are $98.2 million General Fund, $47.4 million Lottery Funds, $43.4 million Other Funds, and $18.5 million Federal Funds.

Specific reductions include $115.8 million total funds from lower Department of Administrative Services' assessments and service rates; $14.2 million total funds from lower Attorney General rates; and $77.5 million total funds from debt service interest rate savings and refunding of outstanding bonds.

Section 299 of the budget bill reflects the changes, as described above, for each agency. These adjustments are included in the table at the beginning of the budget report but are not addressed in the individual agency narratives. Additionally, new Other Funds debt service expenditure limitations for multiple agencies are established to accommodate the use of fund balances for debt repayment.

ADMINISTRATION

Department of Administrative Services

The Subcommittee approved $2,779,673 General Fund to supplement the funding for the Court Appointed Special Advocate (CASA) Volunteer Program, and $250,000 General Fund for the Department of Administrative Services to contract with a nongovernmental statewide coordinating entity to oversee the CASA Volunteer Program and its services. A one-time $1.5 million General Fund increase to the on-going operating subsidy for the Oregon Historical Society was also approved.

The Subcommittee approved $7,884,472 in additional Other Funds Debt Service to support repayment of Article XI-Q General Obligation bond proceeds approved in SB 5505(2021) that will be issued before the end of the biennium to support DAS projects, and an Other Funds expenditure limitation increase of $1.8 million was included for the cost of issuance of the bonds. The Subcommittee also approved $4,615,761 in additional Lottery Funds Debt Service to support repayment of lottery bonds that will be issued before the end of the biennium.

The Subcommittee also approved, on a one-time basis, $3,765,271 General Fund and 6 positions (6.00 FTE) for a study to determine if inequities exist in public procurement and contracting that adversely affect businesses owned by minority, women, and/or service disabled veterans by looking at state contract data. A disparity study provides a factual, data-driven foundation that state enterprises can use to help improve procurement processes to achieve fair and equitable outcomes. The six limited duration positions being added are at the PEM-E level as the project manager, an Operations and Policy Analyst 4, an Operations and Policy Analyst 2, and three Research Analyst 4s.

The Subcommittee approved an increase of $6,394,311 Other Funds expenditure limitation for special payments associated with the disbursement of proceeds from Lottery Bonds issued in previous biennia that have yet to be fully disbursed to grantees.

The Subcommittee approved various one-time General Fund appropriations to the Department of Administrative Services to make grants for the following purposes:

- $2,500,000 for disbursement to Fair Housing Council of Oregon for a collaborative housing partnership
- $1,000,000 for disbursement to Oregon Law Center for legal help related to housing issues
- $1,500,000 for disbursement to Mid-Columbia Community Action Center for a navigation center

- $500,000 for disbursement to Special Olympics Oregon for sports training and athletic competition
- $250,000 for disbursement to Friends of Tryon Creek State Park for park improvements
- $2,302,052 for disbursement to Multnomah County School District #7 for the Reynolds High School Health Center
- $1,785,000 for disbursement to Umatilla County Jail for the Expansion/Mental Health Facility
- $280,000 for disbursement to City of Spray for an EMS Complex
- $630,000 for disbursement to Illinois Valley Wellness Resources for the Illinois Valley Shelter and Resource Center
- $250,000 for disbursement to Council on Aging of Central Oregon for the Central Oregon Senior Services Center Renovation
- $1,885,178 for disbursement to City of Depoe Bay for Restoration of Pilings and Docks
- $1,000,000 for disbursement to City of John Day for the Ne Kam Wah Chung Interpretive Center
- $1,546,000 for disbursement to Harney County for Communication Upgrades
- $650,000 for disbursement to Grant County for Public Safety Network
- $200,000 for disbursement to Project DOVE for Transitional Units Updates
- $1,900,000 for disbursement to Sheridan School District for CTEC West
- $500,000 for disbursement to High Desert Rangeland Fire Protection Association for Lake County Wildland Fire Needs
- $150,000 for disbursement to Bowman Museum for an Exhibits Center
- $600,000 for disbursement to Creating Housing Coalition for Hub City Village
- $400,000 for disbursement to Vietnam War Memorial Fund for a Vietnam War Memorial on the Oregon State Capitol Grounds
- $750,000 for disbursement to City of Mosier for the Mosier Center
- $520,000 for disbursement to Oregon Humane Society for the New Road Ahead Animal Crimes Forensic Center
- $1,800,000 for disbursement to McKenzie Valley Wellness for McKenzie Valley Health Clinic Replacement
- $1,600,000 for disbursement to Bend-Redmond Habitat for Humanity for the Quince Town Home Project
- $500,000 for disbursement to City of Turner for Ball Brothers Seismic Upgrade
- $700,000 for disbursement to The Trust for Public Land for the Butte Falls Community Forest Project
- $1,400,000 for disbursement to Blue River Community Library for the Rebuild Project
- $903,520 for disbursement to McKenzie Fire & Rescue for a Disaster Relief Logistics Center
- $200,000 for disbursement to United Way of Jackson County for Affordable Home Ownership
- $1,400,000 for disbursement to Community Counseling Solutions for the Boardman Regional PRTS/Sub Acute Children's Facility
- $1,800,000 for disbursement to City of Umatilla for a Minority Entrepreneurial Development & Business Center
- $385,000 for disbursement to Molalla Rural Fire Protection District for Wildland Fire Protection
- $2,100,000 for distribution to the Upper McKenzie Rural Fire Protection District for facility and equipment replacement

- $800,000 for disbursement to the City of Salem for a Turnkey Project
- $816,000 for disbursement to the City of Salem Police Body Cameras
- $1,000,000 for disbursement to the City of Salem for a voucher program
- $10,500,000 for disbursement to the City of Salem for shelters
- $5,000,000 for disbursement to Multnomah County for the Arbor Lodge Shelter and Village
- $5,928,184 for disbursement to Cherriots to offset expiring tax credits
- $718,079 for disbursement to Yamhill County Transportation to offset expiring tax credits
- $288,451 for disbursement to Columbia County Rider Transportation to offset expiring tax credits
- $44,975 for disbursement to Lebanon Transportation to offset expiring tax credits
- $2,000,000 for disbursement to the Jackson County Fire District for firefighter apprentices
- $2,000,000 for disbursement to the Clackamas Fire District for firefighter apprentices
- $2,000,000 for disbursement to the Eugene Springfield Fire Department for firefighter apprentices
- $2,000,000 for disbursement to the Innovation Law Lab for Immigration Defense
- $1,500,000 for disbursement to the Northwest Health Foundation II for public safety reform activities

The Subcommittee added $173,499,294 Other Funds expenditure limitation for one-time costs of special payments associated with the disbursement of proceeds from 2021-23 Lottery Bond sales; projects are detailed below and approved in SB 5534 (2021). Cost of issuance for these Lottery Bonds totals $2,913,324. A total of $4,615,761 Lottery Funds Debt Service was provided to support repayment of lottery bond proceeds approved in SB 5534 that will be issued before the end of the biennium. Debt service payments on all the projects described below are estimated to be $29,350,840 Lottery Funds for the 2023-25 biennium, the first full biennium of repayments, and $292,995,727 over the life of the bonds. The approved projects and amounts are:

- $7,500,000 Other Funds for disbursement to the Center for Hope and Safety for the Hope Plaza
- $2,000,000 Other Funds for disbursement to City of Gresham for the Gradin Community Sports Park
- $15,000,000 Other Funds for disbursement to Eugene Family YMCA Facility
- $5,400,000 Other Funds for disbursement to Jefferson County - Jefferson County Health and Wellness Center
- $5,000,000 Other Funds for disbursement to Oregon Coast Aquarium
- $3,500,000 Other Funds for disbursement to Parrott Creek Child & Family Services for building renovation
- $2,400,000 Other Funds for disbursement to Port of Cascade Locks - Business Park Expansion
- $12,000,000 Other Funds for disbursement to Klamath County for Klamath Crimson Rose
- $4,000,000 Other Funds for disbursement to the Latino Network for La Plaza Esperanza

- $6,921,150 Other Funds for disbursement to Willamette ESD for the Willamette Career Academy
- $5,000,000 Other Funds for disbursement to City of Eugene for Downtown Riverfront Park Development
- $15,000,000 Other Funds for disbursement to Woodburn Community Center
- $3,000,000 Other Funds for disbursement to Rogue River School District for the Rogue River Wimer Wellness Center
- $4,000,000 Other Funds for disbursement to East Lincoln County Fire and Rescue for the Eddyville Fire Hall
- $3,000,000 Other Funds for disbursement to Greater Toledo Aquatic and Community Center
- $10,000,000 Other Funds for disbursement to Multnomah County for Behavioral Health Resource Center
- $5,000,000 Other Funds for disbursement to City of North Plains for a Public Works/Emergency Operations Center
- $2,000,000 Other Funds for disbursement to City of John Day for the Central Grant County Aquatics Center
- $6,250,000 Other Funds for disbursement to Family Justice Center of Washington County for Family Peace Center
- $5,000,000 Other Funds for disbursement to Corvallis Homeless Shelter Coalition for Project Turnkey Corvallis (PSH Housing Project)
- $4,500,000 Other Funds for disbursement to Wasco County for the Columbia Gorge Resolution Center
- $4,000,000 Other Funds for disbursement to Port of Portland for PDX Seismically Resilient Runway Engineering Design
- $7,250,000 Other Funds for disbursement to Willamette Falls Locks and Canal
- $13,600,000 Other Funds for disbursement to City of Phoenix for a Public Safety Building
- $4,578,144 Other Funds for disbursement to Mid-Willamette Family YMCA for Multi-Purpose Sports Field Complex
- $2,800,000 Other Funds for disbursement to Serendipity Center for Believe In Me Campus Expansion
- $5,000,000 Other Funds for disbursement to OMSI District for New Water Avenue
- $2,500,000 Other Funds for disbursement to City of Lincoln City for the D River Welcome Center
- $4,300,000 Other Funds for disbursement to Port of Morrow for a Workforce Center
- $3,000,000 Other Funds for disbursement to City of Redmond for a Public Safety/Mental Health Triage Center

The Subcommittee approved $65,476,928 Federal Funds expenditure limitation for monies from the CARES Act Coronavirus Relief Fund. Of the total, $16,303,591 is provided for carry-forward of monies provided for COVID-19 vaccination incentives, including monies provided for County Vaccination Incentive grants. The remaining $49,173,337 of the total expenditure limitation increase represents the Coronavirus Relief Fund monies projected to be either uncommitted or unspent at the end of the 2019-21 biennium. This $49,173,337 will be transferred to the Department of Corrections for expenditures and activities to respond to the COVID-19 public health emergency. Oregon received a total of almost $1.39 billion in state support from the CARES Act Coronavirus Relief Fund during the 2019-21 biennium.

The Subcommittee also approved $120 million Federal Funds expenditure limitation for monies from the American Rescue Plan Act (ARPA) Capital Projects Funds for the purpose of transferring to the Oregon Business Development Department for deposit in the Broadband Fund. The Oregon Business Development Department will use this funding for grants to increase broadband internet availability across the state.

Federal Funds expenditure limitation of $3 million was added for monies from the ARPA State Fiscal Recovery Fund for a grant to the Pendleton Round Up Foundation to partner with Blue Mountain Community College on the second phase of the Facility for Agricultural Resource Management project. This regional training center will allow Blue Mountain Community College to expand its agriculture programs, create regional workforce training opportunities, and bolster the local economy through workshop, Career-Technical Education, and event opportunities utilizing the connections of its community partners.

The Subcommittee also approved $1,950,127,815 Federal Funds expenditure limitation for monies from the ARPA State Fiscal Recovery Fund for the purpose of expenditures and activities to respond to the COVID-19 public health emergency and its economic impact, including replacing state revenues lost as a result of the COVID-19 public health emergency.

Department of Administrative Services - American Rescue Plan Act (ARPA)

As part of HB Bill 5006, $240 million in federal ARPA funds were approved for the Department of Administrative Services (DAS) to distribute to each Senate and House district in the amounts of $4 million per Senate district and $2 million per House district, for projects identified in the following table, as long as the identified use is ARPA eligible. Should an item in the table be determined to be ineligible for ARPA funding, DAS will notify the Legislative Fiscal Office which will work with legislative leadership and the Senator or Representative of the affected district to ensure the funds are spent on ARPA eligible items.

District	Member	Project	Amount	Recipient
S-1	Heard	Southwestern Oregon Emergency Recovery, Revitalization, and Preparedness Project	1,940,000	Douglas County
		City of Powers Sewer/Drainage and lateral line repairs and upgrades	60,000	City of Powers
		Bandon Marina Redevelopment	1,500,000	Port of Bandon
		Rogue River-Siskiyou Regional Wildfire & Emergency Services Training Center	500,000	Curry County
S-2	Robinson	Grants Pass Pregnancy Care Center Expansion	4,000,000	Pregnancy Care Center of Grants Pass
S-3	Golden	Coordinated Care Facility Replacement	1,400,000	Family Nurturing Center
		Equity in Learning Facilities	1,300,000	Armadillo Technical Institute
		Houseless relocation from Bear Creek Greenway to urban campground property	1,000,000	City of Medford
		Habitat for Humanity ReStore	300,000	Habitat for Humanity- Rogue Valley
S-4	Prozanski	Lane County Investments	2,255,000	Lane County Organizations
		Western Lane County Fire Response	375,000	Lane County Fire Authority
		Douglas County Investments	1,370,000	Douglas County Organizations
S-5	Anderson	Lincoln City Cultural Center Plaza	900,000	Lincoln City Cultural Center
		Waldport Water Tank Seismic Retrofit & Recoating	600,000	City of Waldport
		Depoe Bay Restoration of Pilings and Docks	500,000	City of Depoe Bay
		Purchase of former Coos Bay GP Site	2,000,000	Oregon International Port of Coos Bay
S-6	Beyer	Lane County Emergency Shelter	2,250,000	Lane County
		Linn County Public Safety Improvements	1,000,000	Linn County
		Lane County Investments	750,000	Lane County
S-7	Manning Jr.	Lane County Latinx & Immigrant Family Wellness Hub - Building Project	1,000,000	Centro Latino Americano
		Junction City Earmarked Projects	820,000	Junction City
		Eugene Earmarked Projects	574,839	Eugene Police Department, St. Mark CME
		Lane County Investments	1,605,161	Lane County
S-8	Gelser	Millersburg Rail Quiet Zone	700,000	Linn County
		Benton County -Wildfire Safety, First Responder, Food initiatives	1,150,000	Benton County
		Education Success for Students impacted by COVID-19	1,400,000	Linn County Lincoln ESD
		Nonviolent Crisis Intervention Training for Children's Residential Facilities staff	750,000	Oregon Department of Human Services

District	Member	Project	Amount	Recipient
S-9	Girod	Stayton Police Department -IT/Security Upgrades	100,000	Stayton Police Department
		Idanha-Detroit Fire Station	2,400,000	Idanha-Detroit Rural Fire Protection District
		Pedestrian Crosswalk Sweet Home - 22nd and Hwy 20	500,000	City of Sweet Home
		Expansion of Rural Broadband Services	1,000,000	Drakes Crossing Rural Fire Protection District
S-10	Patterson	Monmouth-Independence Trolley	1,000,000	City of Monmouth
		Small Business Support Monmouth/Independence Chamber	200,000	Monmouth/Independence Chamber of Commerce
		Non-Congregate Sheltering for Chronically Homeless in Salem	750,000	Mid-Willamette Valley Community Action Agency
		United Way	2,050,000	United Way
S-11	Courtney	YMCA Child Care	4,000,000	Salem YMCA
S-12	Boquist	Polk County Rural Broadband Enhancement Assistance	1,680,000	Polk County
		Yamhill County Rural Broadband Assistance	2,320,000	Yamhill County
S-13	Thatcher	SD13 Strong – Business & Community Recovery Coalition	3,335,000	Wilsonville Chamber in conjunction with 3 others (Chehalem Valley, Keizer, Sherwood)
		Sherwood/Wilsonville Broadband Infrastructure Expansion	665,000	City of Sherwood, an Oregon municipal corporation
S-14	Lieber	Beaverton YMCA Childhood Development Center	1,000,000	Beaverton YMCA
		Beaverton Homeless Shelter/Mental Health Court	2,244,000	City of Beaverton
		HomePlate Youth Services Drop-in Center	456,000	HomePlate Youth Services
		Forth Electric School Bus Pilot	300,000	Forth Mobility
S-15	Riley	North Plains Jessie May Community Park and Pedestrian Pathway Improvements	1,000,000	City of North Plains
		Hillsboro School District Electric Bus project	1,000,000	Hillsboro School District
		Habitat for Humanity	1,700,000	Habitat for Humanity
		Forest Grove senior center	300,000	Forest Grove Senior and Community Center
S-16	Johnson	Louisiana Avenue North/South Connection	400,000	City of Vernonia
		Scappoose Water & Wastewater Infrastructure	3,600,000	City of Scappoose

District	Member	Project	Amount	Recipient
S-17	Steiner Hayward	Oregon Jewish Museum & Center for Holocaust Education	400,000	Oregon Jewish Museum & Center for Holocaust Education
		Washington County Investments	2,155,000	PCC Rock Creek, Habitat for Humanity - Denney Gardens, Pat Reser Center for the Arts, and Tualatin Hills Parks and Rec. Dept.
		Reach Out and Read Program	195,000	Reach Out and Read
		Central City Respite Center & Recuperative Care	1,250,000	Central City Concern
S-18	Burdick	Downtown/Old Town Respite Center	1,000,000	Central City Concern
		Hopewell House	250,000	Friends of Hopewell House
		Just Compassion of East Washington County	2,000,000	Just Compassion of East Washington County
		Red Electric Trail Project	750,000	City of Portland Parks and Recreation
S-19	Wagner	South Metro Racial Justice and Equity Grant Program	600,000	MRG Foundation
		Hillsdale to Lake Oswego Trail	600,000	SW Trails, Portland Bureau of Transportation, Oregon Parks and Recreation Department
		Lake Oswego/ SW Portland Land for Affordable Housing	2,000,000	Habitat for Humanity Portland/Metro East
		SATF & OCADSV Violence Prevention Education Programs	800,000	Oregon Sexual Assault TF and the Oregon Coalition Against Domestic and Sexual Violence
S-20	Kennemer	Clackamas County Fairgrounds Livestock Barn and RV Park / Emergency Housing Center	3,040,800	Clackamas County Fair Improvement Foundation
		Business Recovery Centers of Clackamas County	700,000	Oregon City and Canby Area Chambers of Commerce and Business Recovery Centers
		Estacada Rural Fire District #69 - Wildland Fire and Emergency Medical Response Equip.	134,200	Estacada Rural Fire District
		Canby Fire District COVID Response Supplies	125,000	Canby Fire District
S-21	Taylor	Bowman Brea Park & Scott Park	1,250,000	City of Milwaukie
		Abandoned and Derelict Boats	1,000,000	Oregon State Marine Board
		Domestic Violence Support	500,000	Raphael House
		DVSA Housing Navigator	1,250,000	Department of Justice

District	Member	Project	Amount	Recipient
S-22	Frederick	NAYA/PCC Development, Head Start	1,500,000	Home Forward
		Airway Science for Kids Center for STEAM and CTE	1,000,000	Airway Science
		Modernize OJD electronic access to records	1,000,000	Oregon Judicial Department
		Kitchen and Culinary Academy Project	500,000	Portland Opportunities Industrialization
S-23	Dembrow	Multnomah County	2,320,000	Multnomah County
		PCC Cascade Campus Fire Science Program	330,000	Portland Community College
		Rahab's Sisters: Women's Center and Housing	350,000	Rahab's Sisters
		AYCO Dream	1,000,000	African Youth and Community Organization
S-24	Jama	Business Recovery Center's Technical Assistance, Support Services, and Grant Program	350,000	North Clackamas County Chamber of Commerce
		Rosewood Equitable Neighborhood Development	350,000	The Rosewood Initiative
		Sunflower Village	600,000	Hacienda Community Development Corp., Inc
		Economic Recovery, Affordable Housing Development and Community Resiliency Plan	2,700,000	MRG Foundation
S-25	Gorsek	East County Youth Support Project	2,220,000	Multnomah County
		Gresham Barlow District's School Based Health Center	500,000	Gresham Barlow School District
		Affordable Rents to College Students	280,000	College Housing Northwest
		IRetractable pool cover for MHCC pool and creation of Multicultural Diversity and Equity Center at MHCC	1,000,000	Mt. Hood Community College
S-26	Thomsen	Hood River County Fair Enhancement	538,100	Hood River County Fair
		Commercial Hangar at Ken Jernstedt Airfield /Anchor Way Multi-modal Street and Transit Improvement	500,000	Port of Hood River
		Business Recovery Center Enhancement	1,661,900	North Clackamas Chamber of Commerce
		Cascade Locks Business and Tourism Boost	1,300,000	Port of Cascade Locks
S-27	Knopp	Midtown Bicycle and Pedestrian Crossing	2,000,000	City of Bend
		Little Kits Early Learning	1,000,000	OSU-Cascades
		New well #9 City of Redmond	1,000,000	City of Redmond

District	Member	Project	Amount	Recipient
S-28	Linthicum	Crook County Infrastructure and Economic	1,500,000	Crook County Board of Commissioners
		Jackson County Infrastructure and Economic Dev.	300,000	Jackson County Board of Commissioners
		Klamath County Infrastructure & Economic	1,500,000	Klamath County Board of Commissioners
		Lake County Infrastructure and Economic	700,000	Lake County Board of County Commissioners
S-29	Hansell	East Umatilla Fire and Rescue, New Fire Station	3,900,000	East Umatilla Fire and Rescue (District)
		Wheat Research at the Columbia Basin Agricultural Research Center	100,000	Columbia Basin Agricultural Research Center of OSU's Agricultural Experiment Station
S-30	Findley	Vale Wastewater Treatment Facility	1,000,000	City of Vale
		John Day Wastewater Treatment Plant	1,500,000	City of John Day
		Jefferson Cty. Housing-Disadvantaged Community	750,000	The Jefferson County Faith Based Network
		Madras Industrial Grant Space	750,000	Jefferson County/City of Madras
H-1	Smith, DB	Lincoln School of Early Learning	100,000	Coquille School District
		Bandon Marina Redevelopment	1,300,000	Port of Bandon
		Central Curry Early Learning Center	250,000	Central Curry School District 1
		SAFTE - SW Achieves Fire Training Excellence, Charleston Trade School, OR Coast STEM Hub Career Connected Learning	350,000	SW Oregon Community College
H-2	Leif	Educational Technology for House Dist. 2 Schools	2,000,000	Douglas Education Service District (ESD)
H-3	Morgan	Rural Josephine County Library Building Projects	1,200,000	Josephine Community Library Foundation
		Josephine County Support Grants Project	600,000	Illinois Valley Community Development Organization (IVCDO)
		School WasteWater Treatment Facility	200,000	Three Rivers School District
H-4	Stark	Eagle Point Economic Revitalization Project	500,000	City of Eagle Point
		Southern Oregon Strong Business Success Grants	1,000,000	The Chamber of Medford & Jackson County
		City of Central Point - Urban Renewal/Economic Dev.	500,000	City of Central Point
H-5	Marsh	Talent Maker City Permanent Location	1,800,000	Talent Maker City (nonprofit)
		Applegate Valley Internet Accessibility	100,000	A Greater Applegate (nonprofit)
		Green Springs Fire Protection Engines	100,000	Greensprings Rural Fire District

District	Member	Project	Amount	Recipient
H-6	Wallan	MURA Liberty Park Sidewalk Construction	250,000	City of Medford
		Sidewalk Infill - Various near schools	1,000,000	City of Medford
		South Stage Road Overcrossing Phase 2	700,000	City of Medford
		United Way of Jackson County	50,000	United Way of Jackson County
H-7	Hayden	Special Districts Support Funds	800,000	Oregon Special Districts Association
		Lane County Support Funds	600,000	Lane County
		Douglas County Support Funds	400,000	Douglas County
		Umpqua Community College scholarships/support for students qualified for assistance in CDL training	200,000	Umpqua Community College
H-8	Holvey	Western Lane Emergency Response and Preparedness	375,000	Lane Fire Authority
		McKenzie River Finn Rock Restoration Project	325,000	Eugene Water and Electric Board (EWEB)
		Lane County Investments	1,300,000	Lane County
H-9	Wright	Port Purchase of former Coos Bay GP Site	2,000,000	Oregon International Port of Coos Bay
H-10	Gomberg	Lincoln City Cultural Center Plaza	900,000	Lincoln City Cultural Center
		Waldport Water Tank Seismic Retrofit & Recoating	600,000	City of Waldport
		Depoe Bay Restoration of Pilings and Docks	500,000	City of Depoe Bay
H-11	Wilde	Linn County Food Support - Sharing Hands	85,000	Sharing Hands, Inc.
		Creswell Broadband	80,000	City of Creswell
		Lane Community College Career & Technical Education	500,000	Lane Community College
		Lane County Investments	1,335,000	Lane County
H-12	Lively	Broadband Micro-Carrier Hotel Fiber Expansion	750,000	City of Springfield
		Springfield Essential Infrastructure Project	185,000	City of Springfield
		Long-Term Affordable Housing in Springfield	620,000	City of Springfield
		Manufactured Home Park Preservation	445,000	City of Springfield
H-13	Nathanson	Eugene Community Broadband Plan	150,000	City of Eugene
		Nonprofit Organization Support - Lane County	278,000	Lane County Dept. of Health & Human
		Looking Glass Homeless Youth Facility	310,000	Looking Glass Community Services
		Lane County Investments	1,262,000	Lane County

District	Member	Project	Amount	Recipient
H-14	Fahey	Nelson Place Townhomes	600,000	DevNW
		Public Health Equity and Resilience Grants Program	225,000	Lane County
		Lane County Investments	1,175,000	Lane County
H-15	Boshart Davis	Mid-Willamette Family YMCA	1,548,000	YMCA
		BGCA Capital Projects and Improvements	327,000	Albany Boys & Girls Club
		Waverly Satellite Site	125,000	Albany Boys & Girls Club
H-16	Rayfield	Benton County Crisis Respite Center	1,250,000	Benton County
		Affordable Housing Land Acquisitions	750,000	Linn-Benton Housing Authority
H-17	Cate	Santiam Canyon Wildfire Recovery and Public Safety	900,000	Marion County
		Community Improvements	235,000	City of Scio
		Cheadle Lake Trail System Expansion	325,000	City of Lebanon
		Linn County Public Safety Improvements	540,000	Linn County
H-18	Lewis	City of Silverton Police/City Hall Construction Project	500,000	City of Silverton
		City of Mt Angel Marquam SS Trunk Line Project	500,000	City of Mt Angel
		Molalla Forest Road Bike/Ped Path Project	500,000	City of Molalla
		Aurora City Well Project	500,000	City of Aurora
H-19	Moore-Green	City of Aumsville, Tower Well Project	300,000	City of Aumsville
		City of Turner, Burkland Pool	300,000	City of Turner
		Willamette Career Academy	150,000	Willamette Career Academy
		United Way of the Mid-Willamette Valley	1,250,000	United Way of the Mid-Willamette Valley
H-20	Evans	Mid-Willamette Valley Trolley	2,000,000	City of Monmouth
H-21	Clem	Salem Community Investment Fund	2,000,000	Marion County (Economic Development)
H-22	Alonso Leon	Legion Park Athletic Complex	1,004,300	City of Woodburn
		Salem Free Clinics - free clinic funding	172,000	Salem Free Clinics, 501(c)3
		Fire engine	323,700	Chemeketa Comm. Col. Brooks Training
		Community media and health care	500,000	Alianza Poder
H-23	Currently Unrepresented	8” Loop along Goucher Street	1,200,000	City of Amity
		Replace Existing 8” Transmission Pipeline	800,000	City of Amity

District	Member	Project	Amount	Recipient
H-24	Noble	CARES NW and the Family Justice Center	400,000	CARES NW
		A Family Place Child Abuse Prevention	250,000	A Family Place Relief Nursery Yamhill County
		Juliette's House Enhanced Services	600,000	Juliette's House Child Intervention Center
		Small Business Grant Program	750,000	City of McMinnville
H-25	Post	St. Paul Water System	696,000	City of St. Paul
		Butteville Landing	54,000	Friends of Historic Butteville Board
		City of Newberg	400,000	City of Newberg
		City of Keizer	850,000	City of Keizer
H-26	Neron	Just Compassion of East Washington County (Grayber-	500,000	Just Compassion of East Washington County
		Human Services Investments	400,000	Department of Administrative Services
		Municipal Grants- Broadband & Business Stabilization	1,000,000	City of Sherwood
		Public Health Outreach Van	100,000	Clackamas County Public Health
H-27	Schouten	Patricia Reser Center for the Arts	1,200,000	Beaverton Arts Foundation
		Beaverton YMCA Childhood Development Center	800,000	Beaverton YMCA
H-28	Campos	HomePlate Youth Services Drop-in Center	643,000	HomePlate Youth Services
		Beaverton Homeless Shelter	500,000	City of Beaverton
		Washington County Park Restroom Improvements	801,000	Washington County
		Children's Library at the Aloha Community Library	56,000	Aloha Community Library
H-29	McLain	Food Security for economically vulnerable immigrant families: Food access/infrastructure - Covid-19	160,000	Adelante Mujeres
		Centro Cultural Food Services Building	660,000	Centro Cultural
		Forest Grove Foundation Housing for Homeless	680,000	Forest Grove Foundation
		Bienestar Plaza Los Amigos	500,000	Bienestar, Inc.
H-30	Sollman	North Plains Jessie Mays Community Park and Pedestrian Pathway Improvements	800,000	City of North Plains
		Asian Pacific American Network of Oregon (APANO) Property Acquisition Fund	500,000	Asian Pacific American Network of Oregon (APANO)
		Family Promise Washington County House	500,000	Family Promise of Washington County
		Hillsboro Schools Foundation Bilingual Career Kits	200,000	Hillsboro Schools Foundation

District	Member	Project	Amount	Recipient
H-31	Witt	Fox Creek Culvert	100,000	City of Rainier
		Skyline Community Hall Retrofits	155,000	Skyline Grange #894
		Sauvie Island Fire District Improvements	930,000	Sauvie Island Fire District 30
		River Access Near NW 107th Ave/Community Center Earthquake Retrofit	815,000	Linnton Neighborhood Association
H-32	Weber	Anderson Creek Raw Water Transmission Main	400,000	City of Nehalem
		Well and Wastewater Treatment resiliency	820,000	City of Bay City
		Cannon Beach Resiliency Project	360,000	City of Cannon Beach
		Astoria Public Library Renovation	420,000	City of Astoria
H-33	Dexter	Asian Pacific American Network of Oregon (APANO) Property Acquisition Fund	450,000	APANO
		Beaverton Health Clinic & Support for Innovative Startups and Emerging Nonprofits	650,000	City of Beaverton
		Central City Concern Clinical Respite Center	700,000	Central City Concern
		Washington County Park Restroom Improvements	200,000	Washington County
H-34	Helm	Oregon Outdoor Recreation Stimulus	1,000,000	Oregon Department of Fish & Wildlife, Oregon Conservation and Recreation Fund
		Support for Innovative Startups and Emerging	200,000	City of Beaverton
		HomePlate Youth Services Drop-in Center	401,000	HomePlate Youth Services
		Washington County Park Restroom Improvements	399,000	Washington County
H-35	Grayber	Just Compassion of East Washington County	1,500,000	Just Compassion of East Washington County
		Broadway Rose Improvements	350,000	Broadway Rose Theatre Company
		Southwest Corridor Community Investment Trust Model Feasibility Study and Implementation	150,000	Southwest Corridor Equity Coalition
H-36	Reynolds	Street Roots Center	1,400,000	Street Roots
		Food Pantry - Emergency Food processing/distribution	100,000	Neighborhood House
		Open for Fall, Open for All	400,000	Portland State University
		Central City Concern Peer Respite Center	100,000	Central City Concern

District	Member	Project	Amount	Recipient
H-37	Prusak	Washington County Economic and Transit Support	500,000	Washington County
		Packed with Pride & Afterschool Homework & Social Support club	500,000	The Foundation for Tigard Tualatin Schools
		Tualatin Together	500,000	Tualatin Together
		West Linn and Lake Oswego Small Business Support	500,000	West Linn Small Business Recovery Center
H-38	Salinas	Hillsdale to Lake Oswego Trail	300,000	SW Trails, Portland Bureau of Transportation, Oregon Parks and Recreation Department
		Lake Oswego/ SW Portland Land for Affordable Housing	1,000,000	Habitat for Humanity Portland/Metro East
		South Metro Racial Justice and Equity Grant Program	400,000	MRG Foundation
		Partnership for Community Health Care and Education	300,000	Clackamas Volunteers in Medicine
H-39	Drazan	Wildland Fire & Emergency Medical Response	146,700	Estacada Rural Fire District #69
		Clackamas County Fairgrounds Livestock Barn Project	1,750,000	Clackamas Cty. Fair Improvement Foundation
		Canby Fire District COVID response supplies	103,300	Canby Fire District
H-40	Meek	Parrott Creek Child & Family Services	600,000	Parrott Creek Child & Family Services
		Gladstone and Oak Lodge Community Library	500,000	Clackamas County
		Partnership for Community Health Care and	300,000	Clackamas Volunteers in Medicine
		Business Recovery Centers of Clackamas County	600,000	Oregon City Chamber of Commerce and Business Recovery Center
H-41	Power	City of Milwaukie Neighborhood Park Development	1,000,000	City of Milwaukie
		Oak Grove Community Project	750,000	Clackamas County
		Sellwood Community House Capital Improvements	250,000	Sellwood Community House
H-42	Nosse	Regional Black Economic Prosperity Planning and Dashboard Development Process	100,000	National Association of Minority Contractors - Oregon
		Central City Concern Clinical Respite Center	950,000	Central City Concern
		Street Roots Center	950,000	Street Roots
H-43	Sanchez	Albina Head Start classrooms	300,000	Home Forward
		NAYA Family Center/Home Forward 42nd and Killingsworth Project	1,700,000	NAYA Family Center

District	Member	Project	Amount	Recipient
H-44	Kotek	Center for Black Excellence	250,000	Albina Vision Trust
		NAYA Capital Improvements	1,250,000	Native American Youth and Family Center (NAYA)
		Co-Located Early Childhood Classroom Space at N. Maryland Affordable Housing Development	500,000	Neighborhood House
H-45	Smith Warner	Central City Concern's Recuperative Care Program	800,000	Central City Concern
		NAYA Home Forward Workforce & Early Childhood Education Center	600,000	NAYA
		Mainspring	100,000	Mainspring
		Street Roots Renovation	500,000	Street Roots
H-46	Pham	APANO Property Acquisition Fund	1,600,000	APANO
		82nd Avenue Transportation Justice Advocacy Grants	225,000	Oregon Walks
		Community Safety Infrastructure Investments	100,000	Coalition of Communities of Color
		East Portland Community Placemaking Projects	75,000	City Repair Project
H-47	Valderrama	Asian Pacific American Network of Oregon (APANO) Property Acquisition Fund	350,000	APANO
		East Portland Community Prosperity Project: Small Business Development	500,000	Unite Oregon
		Rosewood Equitable Neighborhood Development	1,150,000	The Rosewood Initiative
H-48	Reardon	Leach Botanical Garden Historical Building Improvement	1,550,000	Leach Garden Friends
		Zenger Farms Capital Improvements	150,000	Friends of Zenger Farms
		MHCC Pool and Multi-Cultural Center	300,000	Mt. Hood Community College
H-49	Hudson	East County Food Pantry	10,000	East County Food Pantry
		Troutdale Terrace Food Assistance	6,000	Oregon Food Bank
		Aldercrest Apartments renovation	1,200,000	Human Solutions of Oregon
		Habitat for Humanity land purchase	784,000	Habitat for Humanity
H-50	Ruiz	Gresham-Barlow School Based Health Center Development	1,000,000	Gresham Barlow School District - Multnomah County School District
		City of Gresham Funding Project	700,000	City of Gresham
		MHCC Pool and Multi-Cultural Center	100,000	Mt. Hood Community College
		Youth Voice, Youth Vote: Youth Participatory	200,000	Participatory Budgeting Oregon

District	Member	Project	Amount	Recipient
H-51	Bynum	Friends of Baseball	100,000	Friends of Baseball
		Building United Futures Complex	800,000	The Black United Fund of Oregon
		Paramount Apartments	1,000,000	Albina Vision Trust
		Black Economic Prosperity Project/Regional Black Economic Prosperity Planning and Dashboard Development Process	100,000	National Association of Minority Contractors - Oregon
H-52	Williams	MHCC Pool and Multi-Cultural Center	1,000,000	Mt. Hood Community College
		Columbia Gorge Community College Child Care Center, Ag-Tech-Ed Study, and ECE Spanish GED Program	1,000,000	Columbia Gorge Community College
H-53	Zika	City of Redmond - Neighborhood Revitalization	1,000,000	City of Redmond
		REACH & Redmond Early Learning Center	200,000	REACH & Redmond Early Learning Center
		NeighborImpact	800,000	NeighborImpact
H-54	Kropf	City of Bend Low-Barrier Shelter	2,000,000	City of Bend
H-55	Breese-Iverson	Prineville N. Peters/N. Main Intersection Update	900,000	City of Prineville
		Lake County Rural Fire Protection	500,000	Lake County
		La Pine Highway 97 East Pedestrian Improvements	375,000	City of La Pine
		HD 55 Main Street Grants	225,000	Crook County Chamber of Commerce (HD 55)
H-56	Reschke	Klamath County Economic Development Association	1,000,000	Klamath County Economic Dev. Association
		South Central Oregon Economic Development District	1,000,000	S. Central Oregon Economic Dev. District
H-57	Smith, G	District 57 Community Development Fund	2,000,000	Port of Morrow
H-58	Levy	Union County Business Assistance Grant Program	500,000	Union County
		East Umatilla Fire and Rescue, New Fire Station	1,000,000	East Umatilla Fire and Rescue (District)
		Wallowa County Fairgrounds Project	500,000	Wallowa Cty. for the Wallowa County Fair
H-59	Bonham	Columbia Gorge Community College Child Care Center/ Family Child Care Program Renovation	1,000,000	Columbia Gorge Community College
		Smith Rock State Park Infrastructure Improvements & Terrebonne Road Interchange	1,000,000	Deschutes County

District	Member	Project	Amount	Recipient
H-60	Owens	Harney County Fairgrounds	1,000,000	Harney County
		Malheur County Fair Barn Replacement	455,000	Malheur County
		Unity Water Tower Replacement	500,000	Baker County
		Sumpter Valley Railroad upgrades	45,000	Sumpter Valley Railroad Restoration, Inc

Oregon Advocacy Commissions Office

The Subcommittee approved an appropriation of $228,372 General Fund for the Oregon Advocacy Commissions Office to hire one permanent, full-time Public Affairs Specialist 2 to engage with constituent communities.

Oregon Liquor Control Commission

To finance construction of a new liquor distribution center and headquarters facility, the Subcommittee approved the cost of bond issuance and 2021-23 debt service for the Oregon Liquor Control Commission (OLCC) as follows:

- For purchase of land and warehouse construction, $632,735 Other Funds expenditure limitation for cost of issuance and $3.4 million Other Funds expenditure limitation for debt service.
- For information technology systems for licensing, enforcement, and distribution center sales and inventory management, $390,000 Other Funds expenditure limitation for cost of issuance, and $3.2 million Other Funds expenditure limitation for debt service.
- For an order fulfillment and conveyor system, $175,000 Other Funds expenditure limitation for cost of issuance and $896,730 Other Funds expenditure limitation for debt service.

The cost of the new facilities is estimated to total $89.5 million. Bond authorization is provided in SB 5505 for the acquisition of property and construction of a new liquor distribution center and headquarters facility ($52.5 million); a new distribution center sales and inventory management information technology system ($27 million); and a conveyor and order fulfillment system for the new facility ($10 million). Expenditure limitation for the land and construction and the conveyor system is included in SB 5506, the Capital Construction bill.

OLCC has been working with the Capitol Projects Advisory Board and the Department of Administrative Services on due diligence related to facility replacement and property acquisition. A market evaluation is scheduled to occur in the autumn of 2021, final site selection is projected to occur in April of 2022, and construction is anticipated to be completed in 2024.

The Subcommittee provided the following instruction to OLCC:

BUDGET NOTE

Prior to disposition of its existing properties adjacent to McLoughlin Boulevard in Milwaukie, the Oregon Liquor Control Commission is directed to report to the Joint Committee on Ways and Means on plans for the sale and disposition of its existing distribution center, office headquarters, and Milport Road warehouse. The report shall include information on the zoning of the properties, submitted offers, real estate fees and commissions paid to contractors and real estate professionals engaged, conditions of sale, and listing price of the properties. In addition, the OLCC shall report on the new warehouse and headquarters location, purchase price, construction and relocation schedule; its interim operations plan including new leases and estimated costs; an overview of measures the agency will take to minimize disruption to licensees, contract liquor agents, and other stakeholders; and a summary of efforts to secure financial systems and data during the transition.

Public Employees Retirement System

The Subcommittee approved $16,792,238 Lottery Funds expenditure limitation for the Employer Incentive Fund to be used for a 25% state match program for employer side accounts, which are pre-paid employer contributions held in trust for the payment of employer contributions.

Department of Revenue

A General Fund appropriation of $292,002 was approved for the Department of Revenue to support one full-time Operations and Policy Analyst 4 position (1.00 FTE) in the Administration Division. The position will lead initiatives to improve the efficiency and effectiveness in the management of resources, lead analyses of systems and processes, and work with agency management to develop business cases and policy option packages.

A one-time General Fund appropriation of $23.2 million was approved for the Department to make grants to counties for the reimbursement of lost tax revenue related to the 2020 wildfires. Distribution of these funds will be limited to counties included in Executive Order 20-60 that were impacted by the 2020 wildfires and that can demonstrate losses due to the September 2020 wildfires in property tax years beginning on or after July 1, 2020. For 2020-21, the following estimated amounts of lost tax revenues will be provided to the following counties:

- Lincoln: $208,178
- Marion: $715,634
- Clackamas: $116,831
- Lane: $579,208
- Linn: $72,226
- Douglas: $65,060
- Jackson: $2,829,073

- Klamath: $228,162

Prior to disbursement of funds by the Department, each county must apply by December 1, 2021, and annually thereafter. Applications must include a copy of a county ordinance or resolution authorizing the request and a sworn statement that the amount represents estimated revenue lost in that property tax year due to the September 2020 wildfires. The Department will review applications and distribute funds as requested by December 31st and each year thereafter. The Department is authorized to establish rules for the purposes of these distributions.

Other Funds expenditure limitation was increased by $4,245,000 for expenditure of Article XI-Q Bond proceeds on the Electronic Valuation Information System (ELVIS) project authorized in SB 5506. The objective of this project is to modernize the various outdated appraisal systems and associated manual processes used by the valuation section. One Information Systems Specialist 7 (0.88 FTE) and one Information Systems Specialist 8 (0.88 FTE) are provided to support the system. The Department's General Fund appropriation for debt service and related costs was increased by $672,270 for debt service for the 2021-23 biennium. Debt service is estimated to be $1,349,060 for the 2023-25 biennium.

To address the Department's cost of implementing SB 139 relating to taxation, $161,387 General Fund was approved for one permanent, part-time Tax Auditor 2 position (0.50 FTE) to answer questions from businesses and personal income taxpayers and assist with written objections related to the tax rate changes.

To address the Department's cost of implementing SB 727 relating to taxation, $438,569 General Fund was approved for three positions (2.00 FTE). One permanent, full-time Tax Auditor 2 (1.00 FTE) was approved to assist with the implementation of the Business Alternative Income Tax (BAIT) and to answer technical questions. One permanent, part-time Data Entry Operator (0.50) was approved to key additional schedules and fields on paper returns into Quick Modules for processing into GenTax. One permanent, part-time Operations and Policy Analyst 3 (0.50 FTE) was approved for GenTax testing and business entity analysis.

To address the Department's cost of implementing HB 2433 relating to taxation, $397,011 General Fund was approved for five positions (2.50 FTE). One permanent Administrative Specialist 2 position (0.50 FTE) was approved to provide clerical support, and four permanent seasonal Public Service Representative 3 positions (2.00 FTE) were approved to process Individual Taxpayer Identification Number filers.

Secretary of State

The Subcommittee approved a total of $2,474,287 General Fund and one limited duration Program Analyst 4 position (1.00 FTE) for the Elections Division. Of the total, $2 million was added for grants to counties to address county elections offices equipment and technology needs. This includes, but is not limited to, updating voting machines, purchasing new processing equipment (ballot sorters, tabulator upgrades, postmark scanners, keyed locks, and equipment for implemented upgrades), video surveillance upgrades, ballot drop boxes, and software needed for implementation of risk limiting audits. In addition, $120,000 General Fund was added for GIS interface updates needed to implement

a redistricting plan. The limited duration position is supported with $354,287 General Fund and will assist with distributing resources to counties and addressing local county clerk redistricting needs.

Oregon State Library

An increase in Federal Funds expenditure limitation of $2,924,165 was approved for the State Library for the expenditure of American Rescue Plan Act (ARPA) funds for five focal project areas. These areas include connectivity; digital equity and inclusion; equity, diversity, inclusion, and antiracism; needs arising from the pandemic; and workforce development. These focal areas apply to the State Library's direct spending as well as subgrants provided to museums, tribes, and other entities. One Administrative Specialist position (1.00 FTE), supported with Federal Funds, is provided to help with the disbursement of ARPA funds.

Oregon State Treasury

Nonlimited authority for the Trust Property programs was modified to include charges for investment-related transactions.

CONSUMER AND BUSINESS SERVICES

Bureau of Labor and Industries

A General Fund appropriation of $2,310,459 was approved for the agency's role in the Fair Housing Enforcement Statewide Investment collaborative partnership between the Fair Housing Council of Oregon (FHCO), the Bureau of Labor and Industries (BOLI), the Department of Justice (DOJ), and other housing partners. This funding supports one Program Manager (1.00 FTE); Six Civil Rights Investigators (6.00 FTE) to support housing discrimination investigation in four priority regions; and one Training and Development Specialist (1.00 FTE) to provide statewide fair housing education and outreach.

Consumer and Business Services

The Subcommittee approved the transfer of the Senior Health Insurance Benefits Assistance (SHIBA) program from the Department of Consumer and Business Services (DCBS) to the Department of Human Services (DHS). The intent of this transfer is to consolidate all the SHIBA funding and programs in DHS since that agency already has two of the three SHIBA-related federal grants. This transfer requires a $1,813,619 Federal Funds expenditure limitation reduction to DCBS' budget and a reduction of two Program Analyst 2 positions (2.00 FTE) and two Public Service Representative 4 positions (2.00 FTE).

A technical adjustment was approved to accurately reflect the number of positions needed to support the new behavioral health treatment oversight requirements established in HB 3046 (2021). This adjustment adds one position to the three that are already approved.

A General Fund appropriation of $10,678,004 was approved as part of the Wildfire Recovery Initiative. This funding is for a new grant program to incentivize residential and commercial fire hardening for rebuilding and repairing dwellings and other structures that were destroyed or damaged in the 2020 wildfires. Administration for the new grant program is capped at $678,004. One Principal Executive Manager E (1.00 FTE) is also approved for the program.

The Subcommittee approved the transfer of the Compact of Free Association (COFA) Premium Assistance Program and health insurance exchange from the DCBS to the Oregon Health Authority (OHA) as described in SB 65 (2021). This transfer requires DCBS to reduce its Other Funds expenditure limitation by $14,870,281 and eliminate 18 positions (18.00 FTE).

Mental Health Regulatory Agency

The Mental Health Regulatory Agency provides administrative and regulatory oversight to two licensing boards that oversee mental health professions in the state, the Board of Psychology and the Board of Licensed Professional Counselors and Therapists. Due to legislative interest in gaining a better understanding of licensee demographics and increasing diversity of the mental health workforce, the Subcommittee approved $300,000 General Fund and the following budget note:

> **BUDGET NOTE**
> The Mental Health Regulatory Agency shall engage a third party consultant to study the demographics of those individuals licensed by the boards and devise a plan to increase licensee diversity, including an examination of the boards' application processes, investigation of complaints and allegations related to application disclosures, and the boards' consideration of applicant character and fitness. A written report on the study and plan must be provided to the appropriate legislative policy committee(s) no later than December 31, 2022. The agency must also present this information to a subcommittee of the Joint Committee on Ways and Means during the 2023 legislative session.

ECONOMIC AND COMMUNITY DEVELOPMENT

Oregon Business Development Department

Anticipating the issuance of general obligation bonds for the seismic rehabilitation program at the Oregon Business Development Department (OBDD), the Subcommittee approved expenditure limitation of $160 million Other Funds for program grants: $110 million for public school

buildings and $50 million for emergency services facilities. An increase in Other Funds expenditure limitation of $2 million was approved for paying the cost of bond issuance.

The Subcommittee approved an increase of $6,371,670 in the Department's General Fund appropriation for the payment of debt service on bonds issued for the seismic rehabilitation program.

A General Fund appropriation of $4 million was approved for the Business Innovation and Trade Division to provide grants to local governments to aid in the short and long-term efforts to recover from the 2020 wildfire season. The total amount of funding represents the reestablishment of funding that was provided for this purpose by the Emergency Board in January 2020 but was unspent at the end of the 2019-21 biennium, plus an additional $2 million due to anticipated program need. The funding is available for a variety of activities that include, but are not limited to, human resources, land use planning, infrastructure planning, FEMA recovery applications, building permit application processing, financial and administrative program support, and translation services.

The Subcommittee approved $80,000 General Fund for the Infrastructure Division to distribute as a grant to Crawford Electric Company to reimburse the company for the cost of temporary power poles that the State of Oregon used immediately following the 2020 wildfires.

A total of $4,238,074 General Fund was approved for the Department's Infrastructure Division to make grants to specific local governments for financial assistance for their building and planning departments' staffing needs. The individual recipients are:

- Lane County $755,319
- Linn County $275,000
- Lincoln County $190,000
- Douglas County $375,000
- Marion County $975,000
- Jackson County $710,000
- City of Talent $280,000
- City of Phoenix $677,755

The Subcommittee approved an appropriation of $772,000 General Fund for making grants to the following entities for staffing and operational needs associated with the 2020 wildfire season:

- City of Gates $251,000

- City of Detroit $521,000

An allocation of $275,722,721 American Rescue Plan Act State Fiscal Recovery Funds (Other Funds) was approved for the Department to make grants to local governments in the following amounts, for the critical drinking water, storm water, and sanitary sewer projects identified below:

- $2,923,500 for the City of Mill City storm drainage improvements
- $2,694,953 for Hood River waterfront stormwater line
- $2,640,125 for the City of Elgin wastewater collection system
- $14,700,000 for the City of Sandy wastewater treatment plant
- $50,000,000 for Marion County North Santiam septic to sewer project
- $3,000,000 for the City of Turner water pipe project
- $100,000 for the City of Vale wastewater treatment facility headworks improvements
- $2,790,000 for the City of Astoria 16th St distribution waterline replacement
- $2,930,000 for the City of Astoria Pipeline Road waterline resilience
- $10,000,000 for the City of Clatskanie - waste water treatment plant
- $5,260,000 for the Lyons-Mehama Water District tank and pipeline project
- $2,425,798 for the Port of Toledo sanitary sewer extension to Hwy 20
- $974,850 for the City of Waldport water tank project
- $2,000,000 for the Arch Cape Domestic Water Supply District Arch Cape Forest project
- $4,860,000 for the City of Astoria wastewater treatment plant headworks improvement project
- $5,530,000 for the City of Echo water system improvements
- $1,500,000 for the City of Echo wastewater system improvements
- $10,545,543 for the City of Aurora wastewater treatment plant facility
- $4,284,203 for the City of Aurora water storage tank and pump station
- $3,200,000 for the Crane Union School District 1J Crane community water and sewer system
- $250,000 for the City of Arlington Columbia River municipal pump station
- $65,000 for the City of Arlington wastewater facilities plan
- $12,000,000 for the City of Tillamook water transmission line replacement
- $1,140,000 for the Mapleton Water District water infrastructure projects
- $14,628,685 for the City of Lakeside wastewater treatment plant replacement

- $10,000,000 for the City of Scappoose water infrastructure projects
- $2,500,000 for the City of Aumsville water system improvements
- $12,000,000 for the City of Philomath water treatment plant and reservoir construction
- $900,000 for the Wasco County Soil and Water Conservation District Mosier Million #2 well replacement project
- $835,000 for the Crescent Sanitary District wastewater collection system
- $5,800,000 for the City of Carlton wastewater treatment plant
- $15,500,000 for Lane County McKenzie River Valley drinking water and wastewater system replacements
- $1,800,000 for the Panther Creek Water District water reservoir replacement
- $15,000,000 for Lincoln County Panther Creek septic and stormwater systems
- $3,000,000 for the City of Detroit drinking water system
- $3,000,000 for the City of Ashland for Talent, Ashland, and Phoenix intertie improvements
- $500,000 for Lincoln County well repair
- $25,000 for the City of Gates water meter replacement
- $5,000,000 for the City of Phoenix Charlotte Ann Water District disbanding transition costs
- $3,000,000 for the City of Powers sewer collection system and sewer plant
- $1,570,064 for the City of Roseburg stormwater system improvements
- $200,000 for Cave Junction water distribution center
- $2,500,000 for the City of Mosier wastewater treatment plan update
- $3,000,000 for the City of Nyssa water system expansion
- $2,700,000 for the City of Medford SW Medford water and sewer infrastructure
- $950,000 for the City of Redmond Skyline Village affordable housing sewer
- $10,500,000 for the City of Corvallis Rock Creek transmission main
- $15,000,000 for the Lakeview water treatment facility

The Subcommittee approved an increase of $15 million Other Funds expenditure limitation for the Infrastructure Division to provide grants for levee projects from the net proceeds of Lottery Bonds authorized to be issued and deposited in the fund during the upcoming biennium.

Additionally, the Subcommittee approved adjustments to the agency's Nonlimited Other Funds budgeted expenditures that produced a net increase of $90 million. Increases were made for net Lottery bond proceeds of $50 million to be deposited in the Special Public Works Fund from authorized bond issues in the upcoming 2021-23 biennium. Another $50 million General Fund was appropriated for deposit in the Special Public

Works Fund, and $10 million of net proceeds of Lottery Bonds was approved for deposit in the Brownfields Redevelopment Fund. These increases are offset by a reduction of $20 million Nonlimited Other Funds that had been provided in the agency's budget bill (HB 5023) in error.

The $50 million General Fund deposited in the Special Public Works Fund provides loans and grants for publicly owned facilities that support economic and community development in Oregon. Funds are available to public entities for planning, designing, purchasing, improving, and constructing publicly-owned facilities.

An increase of $20 million Other Funds expenditure limitation was approved for the Infrastructure Division to grant funding to the City of Salem for a drinking water system project. The expenditure is supported by bond proceeds.

Other Funds expenditure limitation was increased by $50 million for the Business Innovation and Trade Division to provide grants to local independent movie theaters and entities in Oregon's live events industry to support their recovery from business closures due to the pandemic. Approximately $5 million is intended for distribution to small and community movie theaters. Remaining funds are to be distributed to support the live events industry, including live event operators, music, cultural and community venues, and other entities supporting live events. Grants made to organizations for subsequent distribution to individual entities are eligible for administrative costs related to the distribution of funding. All qualifying entities are required to self-certify as to the need being directly related to the COVID-19 pandemic.

The Subcommittee approved $25 million General Fund to support flexible grants to public and/or private entities for projects targeted at facilitating private investment in Oregon, with a focus on leading or emerging business sectors. The funding is intended to complement efforts under other OBDD programs or funds. Examples of potential uses include public infrastructure such as rail, road, docks, terminal, or airport improvements; power infrastructure; natural resources/wetland mitigation; and other projects enabling investment and long-term public return and benefit. Private sector projects might involve areas such as manufacturing, emerging energy, environmental, supply chain, and feedstock development.

The Department will need to set up the program and create rules prior to awarding grants. If statutory language or further legislative direction is needed to implement the program, OBDD will work with the Legislature to obtain these; depending on requirements, this may mean program initiation may be delayed until the latter half of the biennium.

The Subcommittee approved increases in Other Funds expenditure limitation totaling $9,149,378 for the Department's Arts and Cultural Trust to distribute grants funded by the issuance of Lottery Bonds for cultural facilities as follows:

- $750,000 for the Maxville Heritage Interpretive Center - Preservation of Maxville Townsite
- $2,000,000 for the Artists Repertory Theatre
- $600,000 for the Josephy Center for Arts and Culture

- $295,000 for the Eastern Oregon Regional Theatre - Baker Orpheum Theatre Restoration
- $1,250,000 for the Chehalem Cultural Center - Performing Arts Wing
- $750,000 for the Siletz Tribal Arts and Heritage Society
- $1,600,000 for the Jon G. Shedd Institute for the Arts
- $600,000 for the Little Theatre on the Bay - Liberty Theatre Expansion
- $304,378 for the Columbia River Maritime Museum - Lightship Columbia Preservation
- $1,000,000 for the Portland Art Museum - Rothko Pavilion

The Subcommittee approved an increase in expenditure limitation of $10 million Other Funds for the Infrastructure Division to make grants for county fair capital improvements.

Increases in Other Funds expenditure limitation of $1,254,312 for the Infrastructure Division and $361,350 for the Arts and Cultural Trust were approved by the Subcommittee for payment of costs associated with the issuance of Lottery Bonds. Also approved was an increase of $6,905,674 Lottery Funds expenditure limitation for the Infrastructure Division to pay debt service on Lottery Bonds.

Other Funds expenditure limitation of $120 million was established for the Department's Operations Division for expenditure of American Rescue Plan Act (ARPA) Capital Projects Funds received by the Oregon Department of Administrative Services and transferred to the Department for deposit in the Broadband Fund. Monies in the fund can be used to provide grants or loans through the Oregon Broadband Office and for the administrative costs of the office. Eligible uses of the grants and loans include projects for the planning and development of broadband service infrastructure, digital literacy, digital inclusion, and digital adoption.

The Subcommittee approved budget adjustments to allow the Department to expand staffing capacity. These adjustments include: Lottery Fund expenditure limitation increases of $1,387,837 for the Operations Division and $480,743 for the Business Innovation and Trade Division. General Fund is increased by $85,845 for the Business Innovation and Trade Division and $219,660 for the Infrastructure Division. Other Funds expenditure limitation is increased by $272,00 for the Operations Division, $461,286 for the Business Innovation and Trade Division, and $219,660 for the Infrastructure Division. For the Operations Division, the establishment of 8 positions (8.00 FTE) are authorized including a human resources analyst, an accounting technician, two procurement and contract specialists, two information technology specialists, and two public affairs specialists. For the Business Innovation and Trade Division, the establishment of 5 positions (5.00 FTE) are authorized that include three regional project managers, a loan specialist, and a program analyst. The Subcommittee also authorized the establishment of a federal grant manager position (1.00 FTE) and an operations and policy analyst (1.00 FTE) in the Infrastructure program.

The Subcommittee approved an increase in Lottery Funds expenditure limitation for the Film and Video Office of $112,500 for program enhancements. The Film and Video office will use $60,000 of the funding for workforce development and paid placement programs; $22,000 for

regional festival and event sponsorship support; $3,500 for travel and accommodation costs; $23,000 for special events, a residency program, and regional office support; and $4,000 for business recruitment.

Increased Lottery Fund expenditure limitation of $1.6 million was approved for the Infrastructure Division to provide a grant to the Port of Port Orford for the Seafood Hub Redevelopment Project. The project centers on the creation of a seawater system that would allow the Port to provide sustainable operational support to the fishing fleet, facilities for on-site marine research, and ocean-related recreational opportunities. Additional funding to support the total project cost of $7,657,020 includes $5,275,020 from the U.S. Economic Development Administration and $800,000 in local funds.

Interest earnings on general obligation bond proceeds produced $5,800 that is available to offset General Fund for debt service. The subcommittee approved the establishment of an Other Funds expenditure limitation of $5,800 for the use of these interest earnings on debt repayment.

The Subcommittee approved an increase of $500,000 Other Funds expenditure limitation for the Business Innovation and Trade Division to make grants from the Oregon Rural Capacity Fund established in HB 2345 (2021). The fund is for making grants to Economic Development Districts to assist rural jurisdictions in learning about, applying for, and managing grants and other funding opportunities that can be used to support workforce, infrastructure, economic development, and community development.

Expenditure limitation of $10 million Other Funds was approved for the Business Innovation and Trade Division to make grants from the Disadvantaged and Emerging Small Business Loan Fund established in HB 2266 (2021), in conjunction with the establishment of a direct loan program for making loans to eligible business that have been certified by the Certification Office for Business Inclusion and Diversity and have been referred to the department by a technical assistance provider.

The Subcommittee approved an increase in expenditure limitation of $10 million Lottery Funds for the Business Innovation and Trade Division to provide a grant to Oregon21, LLC for the direct costs of the World Track and Field Championship.

Employment Department

Other Funds expenditure limitation is increased by $872,278 to accommodate administrative expenses of the Employment Department related to carrying out the provisions of SB 172 (2021) which limits the window in which non-fraudulent overpayments can be recovered from a claimant to five years and creates the ability for certain overpayments to be waived. Notification procedures and changes to automated systems require support for 10 limited duration Revenue Agent 1 positions (5.00 FTE) in the 2021-23 biennium associated with this work. Personal services costs are $647,578 and services and supplies costs are $180,000.

Housing and Community Services Department

The Subcommittee approved $30 million General Fund on a one-time basis for the Housing and Community Services Department (HCSD) to compensate landlords for 100% of missed rental payments for applications submitted to the Landlord Compensation Fund for rent owed between April 1, 2020 and the date of the landlord's application through June 30, 2021, subject to availability of funds. These funds can also be used to complete compensation payments for applications approved prior to passage of SB 278. Any amount remaining unallocated upon closure of the application portal and disbursement of funds is not intended to be carried forward into future biennia.

An additional $5 million General Fund is appropriated to the Department on a one-time basis for a grant to Home Forward to make distributions to landlords who delayed termination notices or eviction proceedings pursuant to section 9 of SB 278 (2021). Landlords can apply for this compensation if they can demonstrate that they waited at least 60 days to receive rent payments from a tenant who was denied rental assistance. Home Forward is responsible for primary program design, with HCSD providing application verification information. Up to 10% of the appropriation can be used by Home Forward for administrative costs or those of its subcontractors; separate accounting and reporting mechanisms are to be maintained for this program.

A one-time General Fund appropriation of $2 million was approved for the Department to make a grant to SquareOne Villages for a shared equity affordable homeownership pilot project. Upon awarding the grant, the Oregon Housing Stability Council may request information from SquareOne Villages regarding description of the project, number of units, characteristics of housing built and populations served, other financing partners, and evaluation of outcomes.

Proceeds from the sale of $410 million in Article XI-Q bonds will be used by the Department to develop affordable housing units and supportive housing units for Oregonians who have experienced chronic homelessness. The LIFT program produces approximately 750 units of affordable housing for every $100 million in funding. Of the total amount of bond proceeds, $60 million is intended to fund applications submitted in the 2019-21 biennium that would have been successful candidates for project funding but for the fact that available funding was insufficient to meet demand. An estimated $50 million in bond proceeds will be directed toward construction of approximately 350 units of housing with supportive services for very low-income Oregonians who require tenancy services and rental assistance to remain stably housed. General Fund of $1.6 million is included for supportive services and rental assistance payments associated with those units, based on the timing of bond issuance and units ready for occupancy in the 2021-23 biennium. Supportive services and rental assistance on these units is anticipated to cost $15.5 million General Fund in the 2023-25 biennium; coupled with service and rent assistance for units constructed with bonds authorized in 2019-21 biennium, the total "service dollars" costs are expected to reach $28.7 million in 2023-25. Expenditure limitation for cost of bond issuance in 2021-23 was approved in the amount of $3,490,000 Other Funds, General Fund debt service was increased by $21.4 million, and administrative costs to develop the units total $2,037,700 Other Funds expenditure limitation. Eleven positions (10.25 FTE) are needed for accounting, compliance, underwriting, and reporting.

To capitalize revolving loans that can be used by developers of low-income housing to purchase land or naturally-occurring affordable housing, the Subcommittee approved $30 million General Fund on a one-time basis. The Department will use this revolving loan fund to support the long-term affordable rental housing needs of Oregonians who have been historically rent-burdened or underrepresented in home ownership. A portion of these loan funds are intended to be awarded to applicants who have demonstrated experience or expertise in serving these communities.

To preserve an estimated 1,600 units of existing affordable housing, the Subcommittee approved $100 million General Fund. This funding can be used for publicly supported affordable housing, properties with federal project-based rental assistance contracts, rent subsidies, manufactured dwelling parks, and properties undergoing recapitalization.

The Subcommittee approved $3 million General Fund on a one-time basis to provide a grant to a not for profit organization to develop or improve infrastructure for a manufactured dwelling park in Springfield Oregon. The Department will require the organization receiving the grant to provide a report to the agency that includes information on accounting and the use of grant money, identification of other funding to support the project, and resources provided to park residents.

General Fund of $225,953 was approved for the Department to study and make legislative recommendations on the incorporation of a Regional Housing Needs Analysis into state and local planning programs. The funds will support a position (1.00 FTE) to conduct stakeholder outreach and engagement and data improvement, with the goal of developing a legislative proposal for incorporation of a regional housing needs analysis into future state and local planning processes.

> **BUDGET NOTE**
> The Housing and Community Services Department is directed to work with the Department of Land Conservation and Development to provide an initial legislative report no later than February 1, 2022 and a final legislative report no later than December 31, 2022 on efforts to develop a legislative proposal for incorporation of a regional housing needs analysis into future state and local planning processes.

The Subcommittee approved Other Funds expenditure limitation of $4.5 million for rental assistance payments associated with a long-term rental assistance program established in HB 2163 (2021). The program is for rental assistance payments to individuals age 25 and younger who are or have recently been homeless, in substitute care, incarcerated, or in a facility for mental health or dependency treatment. One Operations and Policy Analyst position (1.00 FTE) is authorized to develop and manage the program. General Fund to support the program was included in HB 2163 on a one-time basis.

For wildfire recovery efforts, the Subcommittee approved $100.4 million General Fund for construction, rebuilding, and financing initiatives for wildfire survivors. Two positions (1.76 FTE) were authorized to support these initiatives. Other Funds expenditure limitation of $50.8 million

(including $780,071 for cost of bond issuance) will allow the Department to acquire land for rebuilding efforts, as well as to provide interim housing for those displaced by wildfires. Debt service on these bonds is $2.2 million Lottery Funds for the 2021-23 biennium.

Department of Veterans' Affairs

Other Funds expenditure limitation of $6,113,208 was established for distribution of Lottery bond proceeds for the veterans' affordable housing project, including $113,208 for bond issuance costs. Lottery Funds debt service of $499,184 was established for the 2021-23 biennium and is estimated to be $993,687 in the 2023-25 biennium.

The Subcommittee approved $175,000 Lottery Funds expenditure limitation on a one-time basis for the Veteran Educational Bridge Grant Program. These grants are designed to provide some support to student veterans that find themselves unable to complete their academic programs on time due to the unavailability of a required class.

EDUCATION

State School Fund

The Subcommittee approved a reduction of $27,849,006 General Fund, an increase of $219,059,876 Lottery Funds, and an increase of $8,789,130 Other Funds from the Fund for Student Success for the State School Fund. This change reflects the final balance of use of available Lottery Funds across the entire state budget as well as the most recent forecast of the Fund for Student Success related revenues. This assumes no transfer of Education Stability Fund resources to the State School Fund and brings the total funds State School Fund amount to $9.3 billion.

Oregon Department of Education

The Subcommittee approved $125 million Other Funds expenditure limitation for the Oregon School Capital Improvement Matching program (OSCIM). The proceeds of the sale of Article XI-P general obligation bonds authorized in SB 5505 are used for grants to school districts which match the grant with proceeds of locally issued bonds for the construction and improvement of school district buildings and property.

The Subcommittee approved $17.5 million Other Funds expenditure limitation for Lottery Bond proceeds authorized in SB 5534 for deposit into the Connecting Oregon School Fund (COSF) for expanding Internet connectivity in schools and maximizing the use of available federal resources. The agency will use COSF to provide state grants to districts that are successful in applying for federal E-rate funding from the Universal Service Administrative Company (USAC) for special construction projects. These projects will provide new or improved existing internet connectivity for schools in which the federal E-Rate funding would typically provide between 60-80% of project costs. ODE will provide state grants for up to 10% of project costs which will leverage an additional matching federal contribution, which may enable sufficient funding to pay for the entire cost of the project. Projects in which federal and state resources do not fully fund a project will be the responsibility of the district to provide through

other resources. State funding will be allocated through a formula that prioritizes schools based on income levels; rural and remote areas of the state; and the current type of internet connectivity and download speeds. ODE estimates these funds will leverage up to an additional $70.8 million in resources for 40 to 60 projects that focus on improving both schools and district-wide area network connectivity.

Three capital projects were approved for the Oregon School for the Deaf to be financed with Article XI-Q bonds. There is a total of $666,308 General Fund designated for debt service on these bonds during 2021-23. The projects are for remodeling restrooms to bring them to ADA standards, fire alarm system replacement, and upgrades of windows.

A total of $1,459,142 Other Funds expenditure limitation was approved for the cost of issuance of general obligation (SB 5505) and Lottery bonds (SB 5534). These include the costs for bonds issued for the Oregon School Capital Improvement Matching program (Article XI-P bonds), projects for the Oregon School for the Deaf (Article XI-Q bonds) and for Broadband Connecting Oregon Schools grants (Lottery bonds). An Other Funds debt service expenditure limitation was established for $330 to use Other Funds savings to offset the need for General Fund to pay for debt service on outstanding general obligation bonds.

A one-time $500,000 General Fund appropriation was approved for a study of the impacts of State School Fund spending and to determine if this spending pattern results in disparities between students who are black, indigenous or people of color (BIPOC) and those who are not BIPOC students. The Oregon Department of Education will award a contract to an experienced researcher who has done research on exploring and modeling education finance policy and practice including research on the effects of fiscal policies and implications on resources at the school and classroom levels. The researcher awarded the contract should have completed at least one multi-year study of weighted student funding. The Department is to provide support and data for the researcher(s). The Department should also appoint an advisory committee with representatives from various educational advocacy and community groups with experience working with historically underserved students. This committee is to review variations in school level spending across multiple types of expenditures across 25 school districts, and to review the proportion of diverse teachers and students. The Department is to submit a report with the results and findings of the study and advisory committee by December 15, 2022.

Funding and Other Funds expenditure limitation was approved for the provisions of HB 3073 (2021), which establishes the new Department of Early Learning and Care (DELC), eliminates the existing Early Learning Division of the Oregon Department of Education, transfers the Employment Related Day Care (ERDC) program to the new DELC effective July 1, 2023, and makes policy and eligibility changes to the ERDC program. In this bill, there is $3.5 million General Fund appropriated to the Oregon Department of Education for 14 positions (12.92 FTE) hired before March 1, 2020 necessary to establish the new agency and develop its payment systems, accounting structures, Information Technology systems, employee hiring processes, and other activities. The funding for these positions is for the full 2021-23 biennium. A special purpose appropriation to the Emergency Board of $5.1 million General Fund is included for the costs of staff hired after March 1, 2020 and other costs of the new agency. Finally, an Other Funds expenditure limitation increase of $95 million is provided to the Department of Human Services for

ERDC costs including a new co-pay policy. These Other Funds for the ERDC program are resources transferred from the Early Learning Division/DELC and include American Rescue Plan Act funding specifically for early learning and child care related spending.

SB 5513 (2021), the budget bill for the Oregon Department of Education, includes $9 million General Fund for preschool program spending during the 2021 Summer months. This funding is part of the $250 million Summer Learning initiative passed in HB 5042 earlier in the 2021 legislative session. The budget report for HB 5042 included specific allocations of $6 million for the Preschool Promise, Oregon Prekindergarten, and Early Learning Equity Fund programs. Based on the applications for this funding, the Early Learning Division has determined that the allocations in the HB 5024 budget report will result in not all of the funding for the Oregon Prekindergarten and the Early Learning Equity Fund being spent and insufficient funding for the Preschool Promise program to meet the volume of applications. Given this situation, the Subcommittee instructed the Early Learning Division to adjust the allocations among the three programs to maximize the amount of funding awarded to providers.

Higher Education Coordinating Commission

After the passage of SB 5528 (2021), the budget bill for the Higher Education Coordinating Commission (HECC), it was discovered that the appropriations for Public University Statewide Programs and Statewide Public Services programs were mistakenly switched in the amendment. This measure includes a $103,420,570 General Fund decrease in the Public University Statewide Programs appropriation (section 1(8) of SB 5528) and a corresponding increase in the appropriation for the Statewide Public Services (section 1(9) of SB 5528) to correct the error.

Other Funds expenditure limitation of $5 million was approved for the Financial Management Information System, or FAMIS, project which is financed with the proceeds from the sale of Article XI-Q Bonds. The FAMIS project will replace out-of-date existing systems supporting the student financial aid programs of the Commission. Better student access to assistance, security issues, and the need for a more web-based system are just a few of the factors driving the need for this project. The project has approval for an early bond sale requiring debt service for 2021-23; the Subcommittee approved $867,805 General Fund to pay that expense.

An additional bond financed project received approval for an early bond sale requiring debt service for 2021-23. This is the Oregon Manufacturing Innovation Center's Research and Development Center for Additive Manufacturing Innovation Phase II project. This project requires $773,239 General Fund for debt service in 2021-23.

The Subcommittee approved Other Funds expenditure limitation of $7,003,106 for the cost of issuance for bonds authorized in SB 5505 (Article XI-G, XI-Q, XI-F bonds) and in SB 5534 (Lottery Bonds) for public universities, community colleges, and for HECC. Other Funds expenditure limitation of $530,575 was approved for debt service on general obligation bonds issued on behalf of community colleges. These Other Fund resources will offset General Fund in the same amount for payment of the debt service. Nonlimited Other Funds debt service is reduced by

$10.3 million for savings generated from the refunding of Article XI-F bonds issued for the benefit of public universities and the Oregon Health and Science University.

The Subcommittee approved $5 million General Fund for distribution to five programs or organizations that assist college-going individuals or those considering post-secondary education. Each of these programs will receive $1 million in one-time funding:

- ASPIRE, which is a mentoring based program, will use the funds to expand the number of ASPIRE sites across the state and increase the size of the participation grants to expand their college and career preparation resources, transition activities, career training resources, and staff/volunteer training.
- College Possible is a program designed to reduce barriers to students in accessing post-secondary education, especially students from underserved backgrounds. This $1 million grant will assist the organization to serve the 1,150 students currently in the program and will increase the number of students served by 25%. Several school districts have expressed interest in partnering with College Possible for programming and this will increase the ability to meet those requests.
- The Oregon TRIO Association (TRIO) promotes educational equity, access, and opportunity for underrepresented students. This funding will be used for three initiatives: (1) a study abroad/exchange scholarship program for low-income students; (2) a “Last Mile” scholarship fund targeted to post-secondary students who are at risk of having to drop out in their last year before graduation; and (3) to provide grant-writing training to organizations to increase the number of TRIO programs in targeted areas.
- Advancement via Individual Determination (AVID) is a program to prepare middle and high school students for success in four-year post-secondary institutions. Funding will be used for professional development for over 400 educators to assist their students, and to expand the AVID College Readiness System to an additional two to three rural school districts.
- Build EXITO, the National Institutes of Health’s Building Infrastructure leading to Diversity (BUILD) initiative in Oregon, is an undergraduate research training program for students. This funding will increase the organization’s recruitment efforts with partner community colleges in the metro area, provide sophomore research preparation for 400 students, and recruit professional research mentors at the Oregon Health & Science University and Portland State University.

SB 551 (2021) appropriated $12.9 million General Fund for the costs of providing health care insurance for part-time faculty at community colleges and public universities. The General Fund appropriation was for deposit in the Part-Time Faculty Insurance Fund created in the measure. After review of SB 551, it was determined that Other Funds expenditure limitation was required to actually spend money out of this new fund; the Subcommittee approved an Other Funds expenditure limitation increase of $12.9 million for HECC for this purpose.

SB 762 (2021) appropriated $10 million General Fund to provide resources for the Oregon Conservation Corps program. The program is established to reduce the risk of wildfires, assist in the creation of fire-adapted communities, and engage youth and young adults in workforce training. The General Fund appropriation was to the Oregon Conservation Corps Fund created in SB 762. After review of that bill, it was

determined that Other Funds expenditure limitation is required to spend money out of this new fund. The Subcommittee approved an Other Funds expenditure limitation increase of $10 million for the Higher Education Coordinating Commission for this purpose.

The Commission recently changed the Student Success and Completion funding model which is used to distribute the Public University Support Fund to the state's seven public universities. One outcome of that change was to remove two programs at Oregon State University (OSU) from the formula, the Veterinary Diagnostic Laboratory and the Facilities Maintenance resources for facilities at OSU that are used by the Experiment Station, the Extension Service, and the Forest Research Laboratory. When this action was taken, the amounts used in the 2021-23 budget were not adjusted for inflation. The Subcommittee recognized this need and increased the Public University Statewide Program budget by $162,753 General Fund for the Veterinary Diagnostic Laboratory and the appropriation for Statewide Public Services by $236,922 General Fund for the OSU facilities maintenance.

Two projects were approved for funding from the American Rescue Plan Act State Fiscal Recovery Funds. These funds will be transferred from the Department of Administrative Services to the agency to be spent as Other Funds and be distributed to the appropriate institution. The two projects are:

- A one-time grant of $3.5 million to Southern Oregon University (SOU) to demolish Cascades Hall, a former dormitory that is currently being used primarily for storage and flex space. The Cascades Hall building is estimated to have a deferred maintenance backlog totaling $12 million and demolition is more cost effective than renovation. SOU anticipates the removal of the facility will result in operations and maintenance savings due to the reduction in utility costs.
- A one-time grant of $636,812 for Umpqua Community College (UCC) for land movement reparation for a large and dangerous slide and sink hole. Since UCC's property insurance does not cover land movement, the reparation would have left a large deficit in the college's finances. UCC will start the project as soon as funds become available.

The Subcommittee approved a number of projects that are part of the Public University Statewide Programs budget unit. These projects are:

- A total of $5.5 million General Fund for a one-time distribution to Oregon Institute of Technology (OIT) for the Center of Excellence in Applied Computing and for expanding health-related clinical and laboratory facilities. OIT will use $3 million to establish the new Center of Excellence and support the hardware, software, and related resources for the Center. Students will be trained in the new Center through targeted certificate and degree programming. The remaining $2.5 million is for rural health initiatives starting in Southern Oregon. Programming will be in the areas of dental hygiene, applied behavior analysis, applied psychology, and the new doctoral program in physical therapy. Funds will be used for clinical and laboratory facilities.

- One-time funding of $1 million General Fund is approved for distribution to Portland State University (PSU) for the Center for Women's Leadership. This funding is to support the New Leadership Oregon Program and will be used for student scholarships and activities to formalize a sustainable and expanded long-term future for the Center.
- In the 2019-21 budget for Public University Statewide Programs, the funding for the Dispute Resolution program was reduced. A $349,000 General Fund increase will restore this reduction, bringing the total funding for the Dispute Resolution program to $2,921,696 General Fund.
- One-time funding of $427,083 General Fund was approved for distribution to Oregon State University (OSU) for a study to: (a) identify practical techniques for painting wind energy facilities that are scientifically shown to increase the visibility of the facilities to birds and prevent avian deaths; (b) evaluate the suitability of the techniques identified for use at wind energy facilities in the state; and (c) evaluate the feasibility of implementing the techniques in a manner that complies with any applicable requirements of the Federal Aviation Administration. OSU should consult with the Oregon Department of Energy in undertaking this study. The study must also discuss the potential effects that the practical techniques identified may have on wildlife in this state other than birds. OSU shall report the study's findings to the interim committees of the Legislative Assembly related to agriculture and natural resources.

The Subcommittee approved projects that are part of the Statewide Public Services budget unit. These projects are:

- A one-time grant of $150,000 General Fund for the Berry Research Initiative program located at the North Willamette Regional Extension Center. This program does research on cost-effective agricultural planting, growing, and harvesting. The funding will enable the program to assist strawberry growers with focus on invigorating the fresh-market industry for sustainability-minded growers. The funding will also enable four students to be mentored and contribute to research projects under the program.
- General Fund in the amount of $2,680,000 for a one-time distribution to Oregon State University Wine Research Institute to increase its capacity to test more wine grapes, fruits, and other agricultural products that have been subject to smoke from wildfires. This testing provides growers with information on how severely their grapes or fruits have been impacted by wildfire smoke and whether they should be harvested and processed into wine. A portion of these funds will be used to enable research on wildfire smoke damage on agricultural products, and a portion will be used to remodel space for an analytical smoke research laboratory and for testing equipment, laboratory technicians, and support staff.

HUMAN SERVICES

Oregon Health Authority

The Subcommittee approved a General Fund appropriation of $145,714 for the Oregon Health Authority (OHA) for one-time costs associated with pharmacist training and related activities by the Oregon State University College of Pharmacy. These costs result from the university's implementation of chapter 95, Oregon Laws 2019, which authorizes pharmacists to prescribe and dispense emergency "bridge" refills of insulin and related devices.

The budget includes $300,000 General Fund and one position (1.00 FTE) for OHA to study behavioral health services provided by other state agencies. The subcommittee approved the following instruction related to this investment.

> **BUDGET NOTE**
> The Oregon Health Authority (OHA) shall study the behavioral health structures for services provided through state agencies and whether the structure adequately meets the current needs of the state as identified by the Alcohol and Drug Policy Commission strategic plan and the State Health Improvement Plan. OHA shall analyze the cost required to meet projected unmet needs, current revenue sources, and additional revenue options, including, but not limited to, taxes related to alcohol, income, and telecommunications. OHA shall report its findings to an interim committee of the Legislative Assembly related to behavioral health no later than February 1, 2022.

The budget includes $958,626 General Fund and $117,250 Other Funds expenditure limitation for debt service and cost of issuance of general obligation bonds for capital projects approved for the Oregon State Hospital (OSH). The approved projects include a new well water treatment facility and replacement of automated dispensing cabinets for prescription drugs. For cash-funded capital projects at OSH, the budget includes $2.3 million, which is available from the federal American Rescue Plan Act, for deferred maintenance in Salem and Pendleton and equipment replacement in Salem and Junction City.

The budget includes the following adjustments to support OHA's cost of implementing policy bills passed late in the legislative session:

- $14.9 million Other Funds expenditure limitation and 18 positions (18.00 FTE) for the transfer of the Health Insurance Marketplace from the Department of Consumer and Business Services to OHA (SB 65);
- $5 million General Fund for developing behavioral health quality incentive metrics and other behavioral health system improvements (HB 2086);
- $20.3 million Other Funds expenditure limitation for the Behavioral Health Housing Incentive Fund (HB 2316); and

- $780,457 General Fund and four positions (2.84 FTE) for the review of health care mergers, acquisitions, and affiliation transactions (HB 2362).

The Subcommittee approved a budget-neutral reduction of $300 million General fund and an increase in Other Funds expenditure limitation in the same amount in order to use federal American Rescue Plan Act State Fiscal Recovery Funds received by the Department of Administrative Services and transferred to the Oregon Health Authority for maintaining health-related services at the Oregon State Hospital.

Department of Human Services

The Subcommittee approved an increase in Federal Funds expenditure limitation of $1.8 million for the Department of Human Services (DHS) and authorized four positions (4.00 FTE) to administer the Senior Health insurance Benefits Assistance Program (SHIBA), which is being transferred to DHS from the Department of Consumer and Business Services.

For administering shelter and feeding services for wildfire survivors, the Subcommittee approved $76,488,018 General Fund on a one-time basis and authorized nine limited-duration positions (7.50 FTE). Of this amount, $75 million is for programmatic expenditures and $1,488,018 supports the limited-duration positions.

The Subcommittee approved a total of $5.8 million General Fund for nutrition and anti-hunger programs, including $4 million for Double-up Food Bucks, $150,000 for the Oregon Hunger Task Force, and $1.7 million for the Oregon Hunger Response Fund. Additionally, $14 million Other Funds expenditure limitation was approved to allow the agency to use one-time federal American Rescue Plan Act State Fiscal Recovery funds received by the Department of Administrative Services and transferred to DHS for emergency food supply stabilization.

This measure includes an increase of $99,503 Other Funds expenditure limitation for the DHS Aging and People with Disabilities program to allow the Department to hire one new permanent, full-time Administrative Specialist 3 position (0.50 FTE) to assist with the Senior Emergency Medical Services Innovation Program established by HB 2397 (2021). Position costs are funded through the DHS Quality Care Fund.

SB 5529, the primary 2021-23 budget bill for the Department of Human Services, includes a total of $131 million total funds ($44.3 million General Fund) for implementation of new rate models for Intellectual and Developmental Disabilities services. Effective July 1, 2021, a portion of the funds will be used to provide an across-the-board 3.2% rate increase. Effective July 1, 2022, the balance of the funds will be used to implement the new rate models at 80% of cost. The intent of the following budget note is to direct DHS to fully fund the new rate models at 100% of cost, which has an estimated additional 2021-23 cost of $55.3 million total funds ($28.5 million General Fund).

BUDGET NOTE

The Department of Human Services' Office of Developmental Disabilities Services (ODDS) is directed to fully fund the new rate models that go into effect on July 1, 2022. As this action is intended to strengthen and enhance Home and Community Based Services, the ODDS shall use funds made available through the temporary 10% FMAP increase to cover the 2021-23 costs required for implementation, unless the U.S. Centers for Medicare and Medicaid Services determines this to be an ineligible use of those funds, in which case the Department is directed to submit a request to the Emergency Board for the required funding. It is the Legislature's intent to fully fund provider rates for adult and children's group home services, day support services, employment services, attendant care, supported living, and non-medical transportation.

SB 749 (2021) appropriated $467,993 General Fund, along with $253,709 Federal Funds expenditure limitation and $10,660 Other Funds expenditure limitation, to the DHS for the implementation of a new program to register providers of residential care referrals (referral agents). Because of how the agency accounts for shared services, funding authorization should also include a corresponding Other Funds expenditure limitation in DHS Shared Services. After review of SB 749, it was determined that this Other Funds expenditure limitation was inadvertently omitted from SB 749. The Subcommittee approved an Other Funds expenditure limitation increase of $628,913 for DHS to correct this omission.

Other Funds expenditure limitation of $95 million was approved for Employment-Related Day Care (ERDC) costs, including a new co-pay policy. The source of Other Funds for the ERDC program is funding transferred from the Department of Education's Early Learning Division and includes American Rescue Plan Act funds specifically for early learning and child care related spending.

JUDICIAL BRANCH

Oregon Judicial Department

The Subcommittee approved $721,500 General Fund for two new statutory circuit court judgeships (1.50 FTE) in the eleventh Judicial District and Deschutes County, for a total of nine circuit court judges for the district. The judgeships are statutorily-established in HB 3011 (2021). The judgeships would begin on January 1, 2022. County government will assume facility (courtroom and office space) and associated costs for the judgeships and staff. Additionally, the Subcommittee approved $867,280 General Fund for six permanent full-time positions, including one Judicial Assistant, one Courtroom Clerk, and one back-office Clerk for each newly established judgeship (5.00 FTE). Judicial staff would begin on November 1, 2021.

The Subcommittee approved $1.2 million General Fund on a one-time basis and authorized eight limited duration positions (6.58 FTE) for the expungement of criminal records for marijuana infractions.

For the non-bondable costs of capital construction projects, the Subcommittee approved, on a one-time basis:

- $5 million Other Funds expenditure limitation for the Supreme Court Building. The revenue source is the American Rescue Plan Act State Fiscal Recovery Funds received by the Department of Administrative Services and transferred to the Judicial Department.
- $250,000 of Other Funds expenditure limitation for the cost of issuing general obligation bonds for the Supreme Court Building Renovation. The revenue source is from the bond proceeds.
- $3.5 million Other Funds expenditure limitation for planning and costs associated with replacement of the Curry County Courthouse. The revenue source is the American Rescue Plan Act State Fiscal Recovery Funds received by the Department of Administrative Services and transferred to the Judicial Department.
- $169,827 Other Funds expenditure limitation for planning and costs associated with replacement of the Crook County Courthouse. The revenue source is the American Rescue Plan Act State Fiscal Recovery Funds received by the Department of Administrative Services and transferred to the Judicial Department.

The Subcommittee approved the following Other Funds expenditure limitations for the Oregon Courthouse Capital Construction and Improvement Fund and both state and local matching funds, with the difference between the state and local match related to the cost of bond issuance that is paid as part of the state match:

Courthouse Project	State Match	Local Match	Total
Benton County	$20,730,000	$20,383,129	$41,113,129
Linn County	$16,110,000	$15,900,000	$32,010,000
Crook County	$11,885,000	$11,700,000	$23,585,000
Clackamas	$1	$1	$2

The revenue to support state matching funds is General Obligation bonds (Article XI-G) authorized in SB 5505 (2021). The timing of the issuance of the bonds will occur late in the 2021-23 biennium and, therefore, there is no associated General Fund debt service related to the issuance for the 2021-23 biennium.

The Subcommittee provided the following instruction to the Judicial Department about the Clackamas County Courthouse project.

BUDGET NOTE

The Oregon Judicial Department (OJD), in coordination with Clackamas County, is requested to submit a report to the Joint Committee on Ways and Means, prior to the legislative session in 2022, on the design, build, finance, operation, and maintenance public-private partnership (P3) agreement(s) for the Clackamas County Courthouse, as well as the funding agreement between OJD and Clackamas County, related to constitutional and statutory requirements for state support and local matching funds for the Oregon Courthouse Capital Construction and Improvement Fund (OCCCIF). The report is to include, but not be limited to:

- the legal sufficiency of the Clackamas County public-private partnership agreement(s), from the state's perspective, pertaining to funding agreement requirements;
- estimated total cost of ownership to construct, occupy, and maintain the Clackamas County Courthouse;
- affirmation of county ownership of the Clackamas County Courthouse building and property;
- a final master funding agreement; and
- a long-term flow-of-funds for state and local matching deposits into, and withdrawals from, the OCCCIF.

The report may also include recommendations for statutory changes related to public-private partnership agreement(s) and the OCCCIF. The submission of this report is a prerequisite for the consideration of supplemental Other Funds expenditure limitation for the Clackamas County Courthouse project.

LEGISLATIVE BRANCH

Legislative Administration Committee

Funding is provided to the Legislative Administration Committee (LAC) for the Document Publishing and Management System (DPMS) project, including Other Funds expenditure limitation in the amount of $4,310,000 for the cost of issuing general obligation bonds and for project costs. In addition, $663,587 General Fund is provided to LAC for debt service on bonds issued during the 2021-23 biennium for the DPMS project.

NATURAL RESOURCES

Department of Agriculture

The Subcommittee approved several General Fund increases for the Department of Agriculture (ODA), totaling $2,501,685. First, $200,000 General Fund was added for the predator control program, which provides pass-through money to the U.S. Department of Agriculture Wildlife Services for predator control services in partnership with the Department of Fish and Wildlife and Oregon counties. This funding is provided on a one-time basis. Next, $450,000 of one-time General Fund was provided for additional funding for the Department's Noxious Weed Control Program. Additionally, $468,311 General Fund and the establishment of two permanent full-time positions (2.00 FTE) was approved for the Native Plant Conservation Program. The two Natural Resources Specialist positions will function as a Lead Botanist and a Conservation Biologist for the program and will allow for more focus on the administrative needs of the program and the development of State projects.

Finally, the Subcommittee approved two General Fund increases as part of a statewide investment in water-related priorities. First, $883,374 General Fund and a permanent full-time Natural Resource Specialist 3 (0.92 FTE) was added to support water quality work in small watersheds. Part of this work includes land condition assessments for compliance with agricultural water quality rules. Of the amount provided, $650,000

will be used to contract with local partners, like Soil and Water Conservation Districts or watershed councils, to provide technical support to local landowners. Secondly, $500,000 of one-time General Fund was approved to continue work related to the State's groundwater management areas (GWMA). The Department will use $250,000 of this amount to contract with a facilitator to coordinate a task force around the Lower Umatilla Basin GWMA with state agencies and local partners. The other $250,000 of one-time funds will be used to complement existing research the Department is doing related to fertilizers and nitrate levels that are impacting groundwater.

Department of Energy

The Subcommittee approved funding for two new grant programs to be operated by the Department of Energy in 2021-23. First, a one-time General Fund appropriation of $10 million was provided for the solar rebate program established in HB 2618 (2019). The $10 million will be deposited into the Rooftop Solar Incentive Fund for the issuance of rebates and to pay for implementation and administration of the solar rebate program. Of the $10 million, almost $9.2 million is available for rebates through Special Payments with $803,822 estimated for administration. The Department will hire three limited duration positions, a half-time Program Manager 3 and two Office Specialist 2 positions (2.50 FTE). Personal Services costs are anticipated to be $364,182, with $439,640 for services and supplies that include IT upgrade and indirect costs. This program was previously provided $2 million of one-time General Fund in 2019-21.

Second, the Subcommittee approved $10,831,296 General Fund for the Department to establish a new grant program designed to incentivize residential and commercial energy efficiency for 2020 wildfire survivors who are rebuilding and repairing dwellings and other structures that were destroyed or damaged in the 2020 wildfires. Of the total, $10 million is provided for grants and $831,296 General Fund is for administration of the program. The Department will hire three full-time limited duration positions, an Accounting Tech 3 and two Program Analysts, along with utilizing existing personnel to assist with program establishment, implementation and oversight.

The Subcommittee approved $247,974 Other Funds expenditure limitation for the Department to conduct the study on small scale renewable energy projects that is outlined in HB 2021 (2021). The position authority for this study, an Economist 4, was provided in the budget report for HB 2021, however the Other Funds limitation provided in that measure is solely related to the Community Renewable Energy Project grant program established in the bill. The Economist position tasked with doing this study should not be paid from administrative grant funds but with Other Funds from the Department's Energy Supplier Assessment revenue.

The Subcommittee approved $3.5 million for General Fund debt service to cover bond payments due in April 2022 and 2023 for the Small-Scale Energy Loan Program (SELP) Fund. This debt service is due to losses sustained from loans dating back to 2007. The total projected overall cash flow shortfall in the SELP Fund is currently around $5 million but is dynamic and may be reduced further based on revenue received.

Department of Environmental Quality

The Subcommittee approved several General Fund appropriations totaling $4,339,481 to the Department of Environmental Quality (DEQ). First, as part of an overall statewide investment in water-related priorities, $350,000 General Fund was provided to begin initial scoping and design of a database framework of water and infrastructure data. While this is provided as a one-time appropriation, this is likely to become a significant information technology project, which will need to be reviewed by the Legislative Fiscal Office and the State Chief Information Office as part of the Stage Gate process. DEQ will need to develop a funding request for further development of this database framework.

Also included is $420,099 General Fund to backfill the costs of positions within DEQ's Section 401 Hydropower Program. This program, named after Section 401 of the federal Clean Water Act, issues certifications for hydroelectric projects as part of a licensing process in conjunction with the Water Resources Department for hydroelectric water rights. Fee revenue for this program was insufficient to maintain operations, so a fee increase had been proposed in HB 2143 (2021). However, the increase to the annual fees in that measure were amended to not take effect until the 2023-25 biennium, resulting in a revenue shortfall for DEQ. This one-time General Fund has been provided in order to maintain operations through the 2021-23 biennium until the fee increase becomes effective.

Additionally, $569,382 General Fund was approved on a one-time basis to cover the administrative costs of a new financial assistance program that will provide funding to public agencies or qualified institutions for the repair, replacement, upgrade, or evaluation of residential or other on-site septic systems. The Department will hire two full-time limited duration positions, a Program Analyst 2 (1.00 FTE) and a Natural Resource Specialist 4 (1.00 FTE), to provide funding coordination, oversight, outreach, and assistance to local entities. DEQ will need to determine the most efficient and effective method of distribution for this financial assistance program, intended to assist wildfire impacted communities, including the possibility of providing low-interest loans, forgivable loans, or, potentially, grants. The funding for this financial assistance program will come from the Department of Administrative Services through a revenue transfer of federal American Rescue Plan Act State Fiscal Recovery Fund monies. The Subcommittee approved $15 million of Other Funds expenditure limitation for this program. Because federal ARPA funding can be spent through 2026, it is anticipated that DEQ will need to request General Fund and position authority to continue administering the program for the 2023-25 biennium and beyond if necessary.

Finally, $3 million of one-time General Fund was provided for DEQ's cost share with the Federal Emergency Management Agency for the hazardous waste and structural debris clean up related to the 2020 wildfires.

The Subcommittee approved $4.3 million Other Funds expenditure limitation to expend a portion of the proceeds from $10 million in Article XI-H general obligation bonds requested in SB 5505 (2021). The bond proceeds will replenish the Orphan Site Account which is used to fund investigations and cleanup at sites where parties who are responsible for the pollution are unknown, unable or unwilling to perform cleanup-related work. The Orphan Site Account is also used to meet Oregon's obligations at federally funded Superfund sites. Oregon must contribute 10% of the Environmental Protection Agency's cleanup costs and pay 100% of long-term maintenance costs at federally funded Superfund sites. DEQ typically spends the proceeds over two consecutive biennia before making another request for additional Orphan Site bonds. Of the

limitation provided, $300,000 is for costs of issuing the bonds. Also approved is $395,030 General Fund for the debt service associated with the bonds, which are scheduled to be sold in May 2022 and March 2023.

Finally, the Subcommittee approved the reduction of $300,000 Other Funds intended for the cost of bond issuance that was mistakenly included in SB 5516 (2021), the Department's budget bill, under the Debt Service section. The limitation for the cost of issuance is appropriately included above, along with the $4 million in bond proceeds, within the Land Quality program where it will be expended.

Department of Fish and Wildlife

The Subcommittee approved several General Fund appropriations for the Department of Fish and Wildlife totaling $1,776,635. First, one-time General Fund of $545,000 was provided for deposit into the Conservation and Recreation Fund established by HB 2829 (2019) in order to match expected donations, from sources other than a government entity that are received into the fund in the 2019-21 biennium. This estimate is based on anticipated donations expected to be received by June 30, 2021. If the amount of donations falls short of this appropriation, the difference can be applied to the General Fund that is being set aside by the Emergency Board through HB 2171 (2021) to match, up to $1 million, donations received in 2021-23. A corresponding increase in Other Funds expenditure limitation of $1,090,000 was also approved to allow the Department to spend the monies that have been deposited into the fund. Next, $200,000 General Fund was approved for the predator control program, which provides pass-through money to the U.S. Department of Agriculture Wildlife Services for predator control services in partnership with the Department of Agriculture and Oregon counties. This appropriation is considered one-time only, with a similar one-time appropriation provided to the Department of Agriculture.

Additionally, the Subcommittee approved $585,056 General Fund and position authority for three permanent full-time Natural Resource Specialist 2 positions (3.00 FTE) for the Western Oregon Streams Restoration program. The positions and funding will restore the program's capacity to provide technical support for the implementation of habitat restoration projects in western Oregon. The program was reduced in 2017 due to General Fund shortfalls. Included in the total is $80,970 in services and supplies. Finally, $446,579 General Fund was added on a one-time basis for the payment of debt service associated with Article XI-Q General Obligation bonds to finance $5 million of capital improvement projects on non-hatchery related facilities. The Subcommittee also approved $105,000 Other Funds expenditure limitation for the cost of issuance related to the bonds. The $5 million Other Funds expenditure limitation is provided in the Capital Construction bill (SB 5506). Finally, the Subcommittee approved $5 million of Other Funds expenditure limitation in order to expend federal American Rescue Plan Act Coronavirus State Fiscal Recovery Fund monies, that will be received by the Department of Administrative Services and transferred to the Department for funding of fish screens and fish passage projects.

Oregon Department of Forestry

General Obligation bonds that are authorized to be issued in the 2021-23 biennium are anticipated to produce $4,820,722 in net proceeds to address maintenance needs of facilities owned by the Department of Forestry. This amount represents 2% of the replacement value of these facilities. The Subcommittee approved an increase of $4,820,722 Other Funds Capital Improvement expenditure limitation for the Capital Improvement program for the expenditure of the bond proceeds. An increase in the Other Funds expenditure limitation for the Agency Administration program of $64,229 was approved for the cost of bond issuance. For the Debt Service program, the General Fund appropriation is increased by $260,395 and Other Funds expenditure limitation is increased by $255,807 for the payment of debt service related to the bonds.

The Subcommittee approved the establishment of a $5 million General Fund appropriation to the Department's Private Forests Division to provide grants to plant nurseries to develop tree seedling capacity in order to increase the supply of tree seedlings for replanting needs due to the 2020 wildfire season.

Also approved was an increase of $49,196 Other Funds expenditure limitation for the Department's Agency Administration Division, to pay issuance costs for bonds that will be issued to replace the agency's facility in Toledo, Oregon. General Fund for the Debt Service program was increased by $105,260 and Other Funds expenditure limitation is increased by $146,257 for debt service.

To support rangeland protection associations, the Subcommittee approved $666,937 General Fund in the Fire Protection Division and authorized the establishment of three positions (2.25 FTE). Senate Bill 590 (2021) expands the definition of rangelands to include those lands that are used primarily for cultivating crops. Including these lands will allow for additional associations to be formed, providing access to assistance programs from the State Forester with organizing, training, acquisition of equipment, and insurance obligations.

The Subcommittee approved increases of $686,300 General Fund and $457,530 Other Funds expenditure limitation, and authorized establishment of three permanent full-time positions (3.00 FTE) for the Department's Private Forests Division. The three positions, a riparian and aquatic monitoring specialist, a forest roads specialist, and a geotechnical specialist, will support the administration of the Forest Practices Act and provide technical assistance to forest landowners to ensure sound forest management and ecological protection.

Department of Geology and Mineral Industries

The Subcommittee approved $328,710 General Fund for the Department of Geology and Mineral Industries to align the budget and actual expenditures with the appropriate source of funding for payment of State Government Service Charges. The Department's budget had assumed that these charges would be paid with a mix of General Fund, Other Funds, and Federal Funds. However, the Other Funds and Federal Funds that the Department receives are related to specific projects or grants and, therefore, are not eligible to be used for payment of these central-service charges. With the additional General Fund, there is a corresponding reduction to Other Funds expenditure limitation of $173,464 and to Federal Funds expenditure limitation of $155,246.

Department of Land Conservation and Development

The Subcommittee approved $2,205,418 General Fund on a one-time basis and authorized one permanent position (1.00 FTE) for the Department of Land Conservation and Development (DLCD) to provide assistance and grants to local governments for planning and capacity-building related to the assessment of housing need, increasing housing supply and choice (particularly middle housing), including studies of infrastructure constraints, and support of local housing coordinators.

Additionally, the Subcommittee approved $1,306,912 General Fund on a one-time basis for DLCD to study and make legislative recommendations, in consultation with the Housing and Community Services Department, on the incorporation of a Regional Housing Needs Analysis (RHNA) into state and local planning programs. The Subcommittee authorized one limited duration position to support this work. The approved funding includes $1,146,100 for studies and stakeholder outreach to examine the following areas: (1) data needed, including but not limited to race/ethnicity, to improve estimations of housing need; (2) definition of "regions" in the state; (3) how a RHNA can be used to address equity, discrimination, and segregation in housing supply; (4) incorporation of a RHNA into the projection of local housing need as well as those actions and policies adopted to address housing shortages; and (5) any other issues appropriate to the implementation of the RHNA.

> **BUDGET NOTE**
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> The Department of Land Conservation and Development, in consultation with Oregon Housing and Community Services, shall provide an initial legislative report no later than February 1, 2022 and a final legislative report no later than December 31, 2022 on efforts to develop a legislative proposal for incorporation of a regional housing needs analysis into future state and local planning processes.

Land Use Board of Appeals

The Subcommittee approved a one-time General Fund appropriation of $50,000 for the Agency to begin the business systems analysis, requirements gathering, and business case development work needed to develop and implement an electronic filing and case management system.

Oregon Parks and Recreation Department

For the Oregon Main Street Program, the Subcommittee approved $10,214,553 Other Funds expenditure limitation in the Department's Community Support and Grants program. The Division will spend $10 million in net proceeds from Lottery bonds on the program and $214,553 on cost of bond issuance. Lottery Funds expenditure limitation is increased by $414,812 for the payment of debt service.

The Subcommittee approved an increase of $750,000 Other Funds expenditure limitation in the Department's Central Services Division, for the cost of bond issuance of General Obligation bonds for State Parks capital improvement and renewal projects. The bonds will be used to finance improvements to facilities in multiple Oregon state parks. The projects include improvements or replacements to facilities and related infrastructure such as buildings, water systems, septic and sewer systems, electrical systems, restroom and shower facilities, as well as modernizing and expanding campgrounds. The Subcommittee also established a $2,232,560 General Fund appropriation for payment of debt service associated with the bonds.

General Fund of $316,480 and the authorization of one limited-duration Operations and Policy Analyst position (0.88 FTE) for the Department's Director's Office was approved by the Subcommittee. The funding supports the position and provides for contracted consulting services to enable the agency to establish statewide standards for the design of recreation projects as directed by House Bill 2171 (2021). A portion of the funding supports travel and other expenses of the Outdoor Recreation Advisory Committee.

Department of State Lands

The Subcommittee approved $1.1 million Other Funds expenditure limitation for the Department of State Lands to make grants from the Oregon Ocean Science Trust Fund established by ORS 196.567. This grant program provides competitive grants in consultation with the Oregon Coordinating Council on Ocean Acidification and Hypoxia as described in House Bill 3114 (2021).

Oregon Watershed Enhancement Board

The Subcommittee approved a total of $19,750,000 General Fund for three grant categories to address wildfire recovery and restoration activities in affected areas of the state on a one-time basis. An additional $670,000 General Fund and three limited duration positions (3.00 FTE) was provided to the agency to pay the operational and administrative costs of overseeing the grants. The three positions are an Operations and Policy Analyst 4, Natural Resource Specialist 4, and an Accountant 1. The three grant categories are detailed below.

- $10 million General Fund was approved for OWEB to make grants for riparian and upland restoration, protection of water quality. Grants in this category will focus on restoring riparian and upland areas via broadly applied restoration approaches such as replanting. OWEB will leverage its granting infrastructure to develop a focused restoration grant offering, with an emphasis on upland and riparian plantings and associated treatments, during the 2021-23 biennium for areas impacted by the 2020 wildfires. These grants will support work by eligible local partners to restore riparian and upland areas in locations that will pose substantial threats to water quality due to post-fire erosion if not restored. The grant-making process will prioritize areas where water quality impacts could negatively affect drinking water supplies and/or important aquatic habitat. Process steps will include project solicitation using a tailored grant application, evaluation by an interagency team of experts,

grant award, project implementation, and post-project reporting about outputs and outcomes related to the project's success at addressing post-fire natural resources concerns and community benefits associated with the project.

- $5 million General Fund was authorized for OWEB to make grants for floodplain restoration and reconnection. Grants in this category will focus on more complex projects that restore and reconnect rivers to floodplain areas, re-establishing hydrologic and ecological functions in ways that help reduce post-fire impacts. OWEB would leverage its granting infrastructure to develop a focused restoration grant offering, with a focus on restoring and reconnecting floodplain areas, during the 2021-23 biennium for areas impacted by the 2020 wildfires.
- $4 million General Fund was approved for OWEB to pass-through to the Eugene Water and Electric Board (EWEB) for restoration and targeted acquisition of high-priority McKenzie riparian/floodplain properties. This funding will support work by EWEB, in coordination with its local partners, to restore and/or acquire riparian and floodplain areas to reduce risks from post-fire impacts.

Water Resources Department

The subcommittee approved a $250,000 General Fund appropriation to the Water Resources Department (WRD) for distribution as a grant to the Nesika Beach Ophir Water District. The District currently serves approximately 560 connections which includes mostly residential homes and some businesses. The funds will be used to extend a water pipeline to a new firehouse near Ophir.

The Subcommittee approved an increase of $40,598,860 in Other Funds expenditure limitation established in the Department's Technical Services Division to make grants and loans and to pay the cost of bond issuance of Lottery Bonds. Bond proceeds will be deposited into the Water Supply Development Fund established under section 3, chapter 784, Oregon Laws 2013. Of the total, $30 million Other Funds expenditure limitation is for Water Supply Development grants and loans to evaluate, plan, and develop in-stream and out-of-stream water development projects that repair or replace infrastructure to increase the efficiency of water use; provide new or expanded water storage; improve or alter operations of existing water storage facilities in connection with newly developed water; create new, expanded, improved, or altered water distribution, conveyance, or delivery systems in connection with newly developed water; allocate federally stored water; promote water reuse or conservation; provide streamflow protection or restoration; provide for water management or measurement in connection with newly developed water; and, determine seasonally varying flows in connection with newly developed water. Other Funds expenditure limitation in the amount of $10 million is for bond proceeds allocated to the fund for the Deschutes Basin Board of Control Piping Project. The funding will be combined with additional state, local, and federal funds to allow the Board of Control to pipe currently open canals. The remaining $521,689 is for the payment of bond issuance costs.

Additionally, an increase of $28,443,481 Other Funds expenditure limitation was established for the Department's Technical Services Division to make grants and loans and to pay the cost of bond issuance of Lottery Bonds. Bond proceeds will be deposited into the Water Supply Fund established by section 10, chapter 906, Oregon Laws 2009. Of the total increase, $443,481 is for the cost of bond issuance and $14 million is for a grant to the Wallowa Lake Irrigation District for the rehabilitation of the Wallowa Lake Dam. The remaining $14 million is for a grant to the City of Newport for remediation of the Big Creek Dams, including design, environmental permitting, and construction of a seismically sound replacement dam.

The Subcommittee approved an increase of $3,514,230 Lottery Funds expenditure limitation for the Department to pay debt service on Lottery bonds anticipated to be issued during the 2021-23 biennium.

The Subcommittee approved $500,000 General Fund on a one-time basis for the Department's Technical Services Division to make grants for the qualifying costs of planning studies performed to evaluate the feasibility of developing water conservation, reuse, or storage projects as described in chapter 13, Oregon Laws 2008.

The Subcommittee approved $500,000 General Fund on a one-time basis for distribution as a grant to Umatilla County for the purpose of implementing agreements of the Columbia River - Umatilla Solutions Task Force. The Task Force objectives include the identification of options to increase the utilization of Columbia River water for in-stream and out-of-stream uses in the Umatilla Basin without negatively impacting instream flow need for fish species, that are technically, economically, legally, and politically feasible and that provide both economic and environmental benefits that support other water-related planning efforts.

The Subcommittee approved $500,000 General Fund on a one-time basis to engage Oregon Consensus to convene a process to develop a framework and path for state-supported water planning and management at the water region/basin level. Funds will provide facilitation support and may include funding for regional convenings and for other entities and organizations to participate in the process as appropriate.

> **BUDGET NOTE**
> Oregon Water Resources Department is directed to use provided funding to contract with Oregon Consensus to convene a workgroup comprised of a balanced membership including, but not limited to, conservation groups, agricultural water users, municipal water users, environmental justice organizations, tribal interests, and state agencies including Water Resources Department and the Oregon Department of Fish and Wildlife to consider regional water management opportunities that build on the 100 Year Water Vision and further the goals of the Integrated Water Resources Strategy.

The General Fund appropriation made to the Director's Office is increased on a one-time basis by $200,000 to support the establishment of a limited-duration position (1.00 FTE) and associated costs for the coordination and administration of Oregon Consensus work with regional water planning and associated convenings. An additional $450,000 General Fund was approved on a one-time basis and one limited-duration position

(1.00 FTE) was authorized to provide facilitation, document development, and staff support for the 2022 update of the Integrated Water Resource Strategy. Finally, $350,000 General Fund was approved on a one-time basis to allow the agency to contract with a third party for a business case assessment that examines the economic value that the use of water provides in Oregon, the impacts of not investing in Oregon's natural and built water infrastructure, and the associated need for continued infrastructure investments. The intended audience for the report would include elected officials, local and state government, and the general public. The report should show the impact of investment, or underinvestment, in water and its impact on economies.

The Subcommittee approved $200,000 General Fund to support current participating entities in the Place-Based Planning program. These include the Harney County Watershed Council in the Malheur Lake Basin, Union County in the Upper Grande Ronde Sub-Basin, Gilliam Soil and Water Conservation District in the Lower John Day Sub-Basin, and the Seal Rock Water District in the Mid-Coast Basin. Place-based planning is voluntary, locally led, and tailored to specific water resource needs and challenges of the location in which planning efforts take place. Participating communities are required to build a collaborative and inclusive process; gather information to understand water resources and identify knowledge gaps; examine current and future water needs for people, place, and nature; identify and prioritize strategic, integrated solutions to address water needs; and develop a place-based integrated water resources plan. Funding is provided for the 2021-2023 biennium only.

Other Funds expenditure limitation is increased by $500,000 to allow the Department to make expenditures from the Domestic Well Remediation Fund established by HB 3092 (2021). The funding will be used to enter into contracts, intergovernmental agreements, or other arrangements with public or private entities to collaboratively award grants for costs or services related to replacing, repairing, or deepening domestic personal use wells affected by declining ground water levels resulting from overallocation of ground water within the Greater Harney Valley Groundwater Area of Concern.

The Water Resources Department currently has a significant backlog in the processing of contested cases related to water rights decisions. To address this issue, the Subcommittee approved a one-time increase of $2.2 million General Fund and authorized one limited-duration position (1.00 FTE) to facilitate the referral and completion of administrative hearings or other procedures to alleviate the backlog.

Several activities were approved for funding from American Rescue Plan Act State Fiscal Recovery Fund funds received by the Department of Administrative Services and transferred to WRD. Other Funds expenditure limitation for the department is established or increased for the expenditure of these funds as follows:

- $6 million for a grant to Umatilla County for the Ordnance Project. The Ordnance Project is the third and final regional Columbia River Project of those initially proposed in 2015. This project provides water supplies to industrial, domestic, and food production uses in the central project region. The other 2 projects (East Project and West Project) were completed in 2020. The Ordnance project includes

enough water to restore 20,000 acres of farmland and stabilize and restore the Ordnance Alluvial and Ordnance Basalt Critical Groundwater Area aquifers to ensure drought and climate change resiliency in the mid-Columbia region of Oregon.

- $1 million to expand support and development of place-based planning efforts of communities for specific water resource needs and challenges of the location in which planning efforts take place to build a collaborative and inclusive process; gather information to understand water resources and identify knowledge gaps; examine current and future water needs for people, place, and nature; identify and prioritize strategic, integrated solutions to address water needs; and develop a place-based integrated water resources plan.
- $2 million for deposit into the newly created Water Well Abandonment, Repair and Replacement Fund established by House Bill 2145 (2021). The fund is used to support a program at the Department to provide financial assistance to permanently abandon, repair, and replace water wells used for household purposes when deficiencies in well construction might result in water waste, cause contamination, or provide a detriment to public health or safety. In conjunction with this, an Other Funds limitation of $2.1 million is provided to the agency for the expenditure of monies deposited in the fund from the American Rescue Plan Act and other sources.
- $500,000 to create a program to work with local governments to find and assist with funding to meet fish passage requirements for dam upgrade projects.
- $3 million for the Department to support fee-based programs during the 2021-23 biennium and to provide facilitation for stakeholder engagement as the Department works with stakeholders to develop more sustainable, long-term funding mechanisms to support these programs.
- $4 million for the Department to contract for professional engineering services to perform flood methodology and inundation assessments for dams and engineering analyses on dams.
- $3 million for the Department to support surface water and ground water data collection field equipment utilized to inform water management and planning that includes, but is not limited to, upgrades to gaging stations, adding observation wells in priority basins and updating aging hydrographic equipment.

To make expenditures from the Domestic Well Remediation Fund established by HB 3092 (2021), $500,000 Other Funds expenditure limitation was approved. This fund is used to reimburse owners of domestic water wells in the Greater Harney Valley Groundwater Area of Concern for certain costs of replacing, repairing, or deepening domestic water wells affected by declining ground water levels.

PUBLIC SAFETY

Department of Corrections

The Subcommittee approved an increase in Other Funds expenditure limitation of $1,034,567 for the cost of issuance of $88,205,000 in Article XI-Q bonds for the Department of Corrections' deferred maintenance program, for the electronic health records system, and for off-net telephone infrastructure. Bonds will be issued in October 2021 and in May 2022. New debt service totaling $10,386,522 General Fund and $700,870 Other Funds expenditure limitation was approved for the Department's planned 2021-23 bond issues.

The Subcommittee approved two-year Other Funds expenditure limitation for $13,400,000 of Article XI-Q bond proceeds to implement an electronic health records system for the Department of Corrections. To support the implementation of a voice over internet protocol (VoIP) telephone system in ten of the agency's prisons, the Subcommittee approved $262,227 Other Funds expenditure limitation and one position (1.00 FTE). The Other Funds revenue for this expenditure is from the proceeds of Article XI-Q bonds issued for the project.

The Subcommittee approved the expenditure of $8,658,704 Other Funds from the American Rescue Plan Act (ARPA) State Fiscal Recovery Funds to implement or complete the following projects in the 2021-23 biennium:

- Modernize and expand the adult in custody (AIC) computing platform, $1,262,204
- Purchase new vehicles and equipment in Distribution Services, $1,325,000
- Purchase body scanners for opioid detection, $1,071,500
- For the non-bondable costs of the electronic health records project, $5,000,000

A technical adjustment was approved in the Department's Operations and Health Services programs to increase Other Funds expenditure limitation by $49,173,337 and reduce General Fund in the same amount. This adjustment allows the Department of Corrections to offset COVID-19 pandemic-related expenses incurred during the first six months of the 2021-23 biennium using federal Coronavirus Aid, Relief, and Economic Security (CARES) Act funding received by the Department of Administrative Services and transferred to the Department of Corrections. Quarterly allotment plans may need adjustment during the 2021-23 biennium depending on receipt of federal reimbursement from FEMA. Additionally, a net-zero technical adjustment was approved to correct a reference to ARPA in sections 216-217 of the bill.

The Subcommittee approved a budget-neutral reduction of $800,000,000 General Fund and an increase in Other Funds expenditure limitation in the same amount in order to use American Rescue Plan Act State Fiscal Recovery Funds received by the Department of Administrative Services and passed through to the Department of Corrections for maintaining public safety services.

To provide funding to county-operated parole and probation programs that will lose fee revenues upon passage of SB 620 (2021), the Subcommittee approved the appropriation of $10 million General Fund to the Department's Community Corrections program for distribution to counties. This funding will be allocated to counties based on the grant-in-aid formula currently in place for the 2021-23 biennium.

The following budget note providing direction to the Department of Corrections was approved.

BUDGET NOTE

The Department of Corrections is directed to return to the Public Safety Subcommittee of the Joint Committee on Ways and Means during the 2022 legislative session with a written report on the Office of the Inspector General (OIG). This report is to provide a broad overview of the OIG's role and responsibilities within the Department, and detail the missions, activities, and outcomes achieved in each of the OIG's operating programs: the Special Investigations Unit, the Security Threat Management Unit, the Central Intelligence Unit, the Hearings Unit, the Special Programs Unit, and the Research Unit. Additionally, the Department is directed to revise its Key Performance Measures #4 and #7 to include statistics on the number of complaints brought by adults in custody against DOC staff, the outcomes of those complaints, and any disciplinary actions required. The revised Key Performance Measures are to be developed and established for consideration by the Public Safety Subcommittee during the 2023 legislative session.

Criminal Justice Commission

The Subcommittee approved $650,000 General Fund for the Family Preservation Project operating at the Coffee Creek Correctional Facility. The Criminal Justice Commission will administer payments for this program, which is provided by the YWCA of Greater Portland. The Subcommittee provided the following direction to the Commission.

BUDGET NOTE

The Family Preservation Project strengthens family ties by providing services and supports to incarcerated parents and their minor children. The program operates at the Coffee Creek Correctional Facility in Wilsonville and is provided by the YWCA of Greater Portland. The Criminal Justice Commission (CJC) is directed to work with the Department of Corrections (DOC) and the YWCA of Greater Portland to track the program's outcomes for incarcerated adults and their minor children, its effect on successful parent re-entry into society upon release from prison, its effect on reducing recidivism, and any other pro-social program outcomes as determined by DOC, CJC, and the YWCA of Greater Portland. CJC shall report to the Legislature on Family Preservation Program outcomes at least annually during a legislative session.

SB 973 (2019) created the Improving Peoples' Access to Community-based Treatment, Supports and Services (IMPACTS) Account for making grants to counties and federally-recognized Indian tribes for community supports and services for individuals with mental health or substance abuse disorders leading to their involvement with the criminal justice system. The Subcommittee approved $10 million General Fund on a one-time basis to recapitalize the account and provided the Criminal Justice Commission with $10 million of Other Funds expenditure limitation for making grant awards.

To continue the legal services pilot program established by HB 2631 (2019) operating at the Coffee Creek Correctional Facility through its sunset date of December 2021, the Subcommittee approved $500,000 General Fund on a one-time basis. The Criminal Justice Commission will administer payments for this program, which is operated by the Oregon Justice Resource Center.

The Subcommittee approved $4 million General Fund on a one time basis, provided an additional $228,395 General Fund on an ongoing basis, and established one permanent, ongoing position (1.00 FTE) for the Criminal Justice Commission (CJC) to establish a new restorative justice grant program. The goal for this program is to develop new restorative justice services and to strengthen existing non-profit organizations that are leaders in restorative justice practices.

Department of Justice

The Subcommittee approved $6 million General Fund on a one-time basis for the Crime Victims and Survivor Services Division and for Child Abuse Intervention Centers, which conduct forensic interviews, medical examinations, treatment, mental health treatment, and referral and/or coordination of other related services. The Department of Justice's Advisory Council on Child Abuse Assessment is to review and approve supplemental funding requests by Child Abuse Intervention Centers based upon the specific needs of each individual Center. Additionally, the Subcommittee approved $5 million General Fund on a one-time basis for the Crime Victims and Survivor Services Division to assist victims of domestic violence and sexual assault with housing needs.

For bias crimes response by the Civil Rights Unit, the Subcommittee approved $2 million General Fund and authorized six permanent full-time positions (5.25 FTE). The package includes $995,269 of associated services and supplies.

The Subcommittee approved $1.7 million General Fund in services and supplies for the Defense of Criminal Convictions for forecasted caseload changes. The Department of Administrative Services is requested to unschedule the entire amount pending the agency providing the Legislative Fiscal Office with a completed methodology for forecasting and budgeting the Defense of Criminal Convictions caseload.

The Subcommittee approved $1.3 million General Fund on a one-time basis for the Crime Victims and Survivor Services Division to provide supplemental pass-through support to the Oregon Crime Victims Law Center.

To support the Fair Housing Enforcement initiative, the Subcommittee approved $447,784 Other Funds expenditure limitation and authorized one position (0.88 FTE) in the General Counsel Division. The revenue source is from legal service billings to the Bureau of Labor and Industries.

The Subcommittee approved $214,439 General Fund for the Criminal Justice Division to backfill the loss of a federal grant from the U.S. Office of Juvenile Justice and Delinquency Prevention for the Internet Crimes Against Children program. The funding will allow for the continued investigation and prosecution of internet crimes against children.

Finally, the Subcommittee approved $218,003 General Fund and authorized one permanent full-time Program Analyst 2 position (0.88 FTE) for the Crime Victims and Survivor Services Division to establish an Appellate Advocate position. This position will assist victims of crime with the appellate process and, in particular, the *Ramos v. Louisiana* decision on non-unanimous jury trials.

Oregon Military Department

The Subcommittee approved an increase in Other Funds expenditure limitation totaling $484,160 for the cost of issuance of $25,475,000 in Article XI-Q bonds for the Oregon Military Department. Bond proceeds in the amount of $10 million will re-capitalize the State Preparedness and Incident Response Equipment (SPIRE) grant program. Bond proceeds in the amount of $14,990,840 will fund armory service life extension projects in Ashland and Corvallis, and construction of a new readiness center in Washington County. Bonds will be issued in May 2022 and in March 2023. New debt service totaling $2,151,329 General Fund was approved for the Department's planned 2021-23 bond issues.

The Subcommittee approved Other Funds expenditure limitation of $10 million for the State Preparedness and Incident Response Equipment (SPIRE) grant program. The Other Funds revenue for this expenditure is from the proceeds of Article XI-Q bonds issued for re-capitalizing the grant fund.

For deferred maintenance projects at the Military Department's 37 armories, the Subcommittee approved $6,720,919 General Fund and provided $6,720,919 Federal Funds expenditure limitation for expenditure of federal matching dollars. Projects include boiler, roof, and HVAC repairs and replacements; fire protection alarm panel, ventilation system, and door control repairs and replacements; and maintenance of parking lots, siding, windows, and sewer systems.

> **BUDGET NOTE**
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> The Oregon Military Department is directed to report to the Joint Committee on Ways and Means on its ten-year capital construction plan prior to the February 2022 legislative session. The report shall describe the process by which the annual Installation Status Report required by the U.S. Army is prepared, its relationship to the ten-year capital plan, the permissible uses of Federal Military Construction Funds and the process for securing use of those funds, and the factors that inform the prioritization of recommended armory service life extension projects. This report should also include analysis and recommendations for inclusion of labor standards related to work performed by women, minority individuals, and veterans and apprenticeship utilization in construction contracts.

To provide matching funds for the Federal Emergency Management Agency's (FEMA) Hazard Mitigation Program, the Subcommittee approved $20 million General Fund on a one-time basis for the Office of Emergency Management.

Oregon State Police

The Subcommittee approved Other Funds expenditure limitation of $1,429,311 for the cost of issuance of $111,635,000 in Article XI-Q bonds for three major Oregon State Police constructions projects: expansion of the Central Point Office, construction of a new forensic laboratory and medical examiner's office, and a Patrol area command office in Springfield. Bonds will be issued in October 2021, May 2022, and March 2023. New debt service totaling $2,674,818 General Fund was approved for the Department's planned 2021-23 bond issues.

The Subcommittee approved the expenditure of $2,739,772 Other Funds from the American Rescue Plan Act (ARPA) to implement or complete the following Oregon State Police projects in the 2021-23 biennium:

- For the non-bondable costs of the Central Point Office expansion, the Springfield Forensic Lab and Medical Examiner office construction project, and the Springfield Patrol Area Command construction project, $1,051,296
- For capital renewal and deferred maintenance at the Ontario and Albany Patrol Offices, $580,476
- For safety improvements at various Patrol offices statewide, $1,108,000.

A net-zero technical adjustment was approved to correct a reference to ARPA in sections 218-223 of the bill.

To complete the Law Enforcement Data System modernization project (LEDS 20/20), the Subcommittee approved $2,789,991 General Fund to add the agency's Sex Offender Registry database to the LEDS system.

To enable the Drakes Crossing Rural Fire Protection District (RFPD) to draw down federal funding from FEMA, the Subcommittee provided $5,000 General Fund to the Office of the State Fire Marshal on a one-time basis. This funding will be passed through to the Drakes Crossing RFPD for its FEMA matching payment.

Department of Public Safety Standards and Training

The Subcommittee approved the expenditure of $1,201,239 Other Funds from the American Rescue Plan Act (ARPA) for deferred maintenance projects at the Department of Public Safety Standards and Training's Public Safety Campus.

Oregon Youth Authority

The Subcommittee approved an increase in Other Funds expenditure limitation of $1,271,961 for the cost of issuance of $68,725,000 in Article XI-Q bonds for the Oregon Youth Authority. Bond proceeds will support continued renovation of living spaces and other facilities at the MacLaren, Rogue Valley, Tillamook, and Oak Creek youth correctional facilities, and will fund the Juvenile Justice Information System

modernization project. Bonds will be issued in October 2021, May 2022, and March of 2023. New debt service totaling $4,482,262 General Fund was approved for the Department's planned 2021-23 bond issues.

To support the Juvenile Justice Information System (JJIS) modernization project, the Subcommittee approved $7,756,531 Other Funds expenditure limitation. The Other Funds revenue for this expenditure is from the proceeds of Article XI-Q bonds issued for the project.

The Subcommittee approved the expenditure of $5,448,068 Other Funds from the American Rescue Plan Act (ARPA) to implement or complete the following Oregon Youth Authority projects in the 2021-23 biennium:

- For the non-bondable costs of the Juvenile Justice Information System modernization project, $1,600,000.
- For replacement of the emergency generator at the MacLaren youth correctional facility, $1,750,000.
- For removal and replacement of the parole and probation office building on the campus of the Oak Creek youth correctional facility, $1,609,780.
- For the non-bondable costs of capital improvement projects at various OYA facilities statewide, $488,288.

The Subcommittee approved $574,510 General Fund on a one-time basis for the Oregon Youth Authority to supplement the payments to behavior rehabilitation service providers that provide sex offense treatment using Sex Offense Treatment Board (SOTB) certified providers. This funding is a stop-gap measure and will only be available during the 2021-23 biennium until Medicaid coverage for this service is established.

To reimburse counties for the cost of performing expunctions of juvenile records as required by SB 575 (2021), the Subcommittee approved $1,841,868 General Fund. This amount is an estimate based on a statewide average cost of $208.95 per expunction for an estimated 8,815 expunctions to be performed in the 2021-23 biennium. The ongoing costs related to expunction of juvenile records should be re-evaluated during current service level budget development for the 2023-25 biennium as data on the performance of this new requirement is made available.

The Subcommittee approved $801,378 General Fund for the Oregon Youth Authority to pay the cost of care for youth that was formerly paid for with juvenile justice system fees.

The Subcommittee approved a reduction of $100 million General fund and an increase in Other Funds expenditure limitation in the same amount in order to use American Rescue Plan Act State Fiscal Recovery Funds received by the Department of Administrative Services and passed through to the Oregon Youth Authority for maintaining public safety services.

TRANSPORTATION

Department of Aviation

House Bill 2434 increases the aircraft fuel tax (AvGas tax) from 9 cents to 11 cents a gallon and increases the aircraft fuel tax for aircraft operated by turbine engines (jet fuel tax) from 1 cent to 3 cents per gallon. The increases fund the Department of Aviation's Aviation System Action Fund which funds two aviation infrastructure investment programs. The Critical Oregon Airport Relief (COAR) program receives 75% of these funds and the State-Owned Airport Reserve (SOAR) program receives 25%. The Subcommittee approved an increase in Other Funds expenditure limitation of $4,603,625 for the Department to spend the increased revenue.

Department of Transportation

The Oregon Department of Transportation (ODOT) administers grants on behalf of the Oregon Department of Veterans' Affairs (ODVA) related to transportation services for veterans, primarily related to their health care appointments. The amount approved in ODVA's 2021-23 budget for this purpose and transferred to ODOT is $650,000 Lottery Funds. This is in addition to $300,000 in funding that was carried forward from authorized amounts for the 2019-21 biennium.

General Fund of $2 million is appropriated to ODOT on a one-time basis for graffiti and litter removal along state highways and interstates. The funding will be used in Region 1 (the Portland metro area), allowing ODOT to expand an existing contract and solicit additional service providers to remove graffiti on sound walls and traffic signs, as well as remove accumulated roadside litter and trash.

Additionally, $1.25 million General Fund was approved on a one-time basis for ODOT to support cultural resource assessments in areas where the agency is conducting wildfire-related tree and debris removal. The funding enables ODOT to coordinate with tribes, the State Historic Preservation Office, and others on surveys and assessments of cultural resources in the fire damaged areas.

Other Funds expenditure limitation is increased by $4,057,570 million to spend $4 million of Lottery bond proceeds on construction of a pedestrian bridge in the City of Sherwood, and $57,570 on the cost of bond issuance. Lottery Funds expenditure limitation was increased by $328,752 for debt service.

Improvements to the Fanno Creek Trail by Tualatin Hills Park and Recreation District will be supported by Lottery bond proceeds totaling $2 million Other Funds; cost of issuance related to the project is $145,358 Other Funds. These bonds will not be issued until the spring of 2023, so no debt service is associated with the project in this biennium.

The Subcommittee approved $298,451 Other Funds expenditure limitation for operational expenses of the State Towing Board established by SB 300 (2021). Two permanent positions are approved for this purpose, including an Operations and Policy Analyst 2 (0.50 FTE) and a Compliance

Specialist 2 (0.50 FTE); both of these positions will be budgeted for a full 24 months in the 2023-25 biennium. The Towing Board will be supported by fee revenue, and the Department may need to return to the Joint Committee on Ways and Means or the Emergency Board for additional expenditure limitation related to implementation of SB 300.

The Department of Administrative Services will transfer $124,349,960 of federal American Rescue Plan Act funds to ODOT to augment highway fund revenues negatively impacted by the COVID-19 pandemic. The funds are designated for the following projects:

- $80 million for safety improvements to Oregon 213/82nd Avenue
- $32 million for Phase II costs related to the Newberg Dundee Bypass (OR-219 section)
- $5 million for the Hood River-White Salmon Interstate Bridge
- $3,349,960 for rehabilitation of the Lake County Railroad
- $4 million for the Clackamas County Sunrise Gateway Corridor Community Visioning Concept

Adjustments to 2019-21 Budgets

Public Defense Services Commission

For the 2019-21 biennium, the Subcommittee approved $92,721 Other Funds expenditure limitation for services and supplies for public defense costs due to the impact of the COVID-19 pandemic. The revenue source is from the Coronavirus Relief Fund received by the Oregon Department of Administrative Services and transferred to the Public Defense Service Commission.

CHAPTER 110

AN ACT HB 5202

Relating to state financial administration; creating new provisions; amending sections 196 and 299, chapter 669, Oregon Laws 2021; and declaring an emergency.

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

SECTION 1. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (5), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Justice, for crime victim and survivor services, is increased by $2,000,000 for distribution to nonprofit entities to assist survivors of domestic and sexual violence and human trafficking in maintaining or acquiring housing.

SECTION 2. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3, chapter 557, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds other than those described in section 2, chapter 557, Oregon Laws 2021, collected or received by the Judicial Department, is increased by $275,752 for an Elder Justice Innovation grant.

SECTION 3. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds other than those described in sections 2 and 6, chapter 556, Oregon Laws 2021, collected or received by the Housing and Community Services Department, is increased by $1,681,331 for housing counseling services.

SECTION 4. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (2), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses, other than expenses described in sections 6 and 14, chapter 603, Oregon Laws 2021, from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, corporate activity tax funds and federal funds, collected or received by the Department of Education, for operations, is increased by $1,668,814 to support the implementation of a comprehensive educator professional learning system.

SECTION 5. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6 (3), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of grants-in-aid, program costs and purchased services from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, corporate activity tax funds and federal funds, collected or received by the Department of Education for programs other than those specified in sections 5 and 14, chapter 603, Oregon Laws 2021, for the Educator Advancement Council, is increased by $3,488,205 for increases to Regional Educator Network Capacity grants.

SECTION 6. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 1 (1), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations, is increased by $1,416,158, for procurement staff.

SECTION 7. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for health systems, health policy and analytics, and public health, is increased by $3,000,000 to temporarily increase behavioral health residential treatment provider rates.

SECTION 8. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $9,000,000 to temporarily increase behavioral health residential treatment provider rates.

SECTION 9. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for health systems, health policy and analytics, and public health, is increased by $2,400,746 to expand the duration of Medicaid postpartum coverage to 12 months.

SECTION 10. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 668, Oregon Laws 2021, for the biennium ending June

30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $6,390,858 to expand the duration of Medicaid postpartum coverage to 12 months.

SECTION 11. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for vocational rehabilitation services, is increased by $3,600,000 to increase provider rates for employment services.

SECTION 12. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (6), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for aging and people with disabilities programs, is increased by $9,093,426 for compensation changes driven by collective bargaining for workers who are not state employees.

SECTION 13. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (6), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for aging and people with disabilities programs, is increased by $16,809,247 for compensation changes driven by collective bargaining for workers who are not state employees.

SECTION 14. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (7), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for intellectual/developmental disabilities programs, is increased by $10,906,574 for compensation changes driven by collective bargaining for workers who are not state employees.

SECTION 15. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (7), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for intellectual/developmental disabilities programs, is increased by $21,342,327 for compensation changes driven by collective bargaining for workers who are not state employees.

SECTION 16. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 1b (1), chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation to state agencies for compensation changes driven by collective bargaining for workers who are not state employees, is decreased by $20,000,000.

SECTION 17. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Justice, for the General Counsel Division, is increased by $2,310,592 for legal services to state agencies.

SECTION 18. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Justice, for the Criminal Justice Division, is decreased by $940,753 due to the withdrawal from the federal High Intensity Drug Trafficking Area program.

SECTION 19. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1 (3), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Criminal Justice Division, is increased by $1,157,838 to increase statewide criminal analytical support.

SECTION 20. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (1), chapter 470, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Department of State Police, for patrol services, criminal investigations, gaming enforcement and the office of the State Fire Marshal, is increased by $3,039,868 for expendi-

ture of funds received through the equitable sharing program.

SECTION 21. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Police by section 1 (1), chapter 470, Oregon Laws 2021, for the biennium ending June 30, 2023, for patrol services, criminal investigations, gaming enforcement and the office of the State Fire Marshal, is increased by $11,323,221 for costs incurred during the 2021 fire season.

SECTION 22. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Youth Authority by section 1 (1), chapter 430, Oregon Laws 2021, for the biennium ending June 30, 2023, for facility programs, is decreased by $188,357, for the transfer of positions between programs to establish new Diversity, Equity and Inclusion positions.

SECTION 23. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Youth Authority by section 1 (2), chapter 430, Oregon Laws 2021, for the biennium ending June 30, 2023, for community programs, is decreased by $191,677, for the transfer of positions between programs to establish new Diversity, Equity and Inclusion positions.

SECTION 24. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Youth Authority by section 1 (3), chapter 430, Oregon Laws 2021, for the biennium ending June 30, 2023, for program support, is increased by $380,034, for the transfer of positions between programs to establish new Diversity, Equity and Inclusion positions.

SECTION 25. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (1), chapter 430, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Oregon Youth Authority, for community programs, is decreased by $13,293, for the transfer of positions between programs to establish new Diversity, Equity and Inclusion positions.

SECTION 26. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (2), chapter 430, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Oregon Youth Authority, for program support, is increased by $13,293, for the transfer of positions between programs to establish new Diversity, Equity and Inclusion positions.

SECTION 27. Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 1 (2), chapter 557, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations, is increased by $2,432,008 for the reorganization of the office of the State Court Administrator.

SECTION 28. In addition to and not in lieu of any other appropriation, there is appropriated to the Public Defense Services Commission, for the biennium ending June 30, 2023, out of the General Fund, the amount of $380,436 to implement the provisions of chapter 400, Oregon Laws 2021.

SECTION 29. Notwithstanding any other provision of law, the General Fund appropriation made to the Public Defense Services Commission by section 1 (3), chapter 444, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Appellate Division, is increased by $259,969 for the Juvenile Appellate Section.

SECTION 30. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 560, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Oregon Business Development Department, for infrastructure, is increased by $1,500,000, for the expenditure of moneys transferred by the Public Utility Commission to the Broadband Fund established by section 4, chapter 17, Oregon Laws 2020 (first special session), for the planning and development of broadband infrastructure.

SECTION 31. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5, chapter 426, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, other than those described in section 3, chapter 426, Oregon Laws 2021, collected or received by the Employment Department, is increased by $5,172,629 for services to adult and dislocated workers.

SECTION 32. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds other than those described in sections 2 and 6, chapter 556, Oregon Laws 2021, collected or received by the Housing and Community Services Department,

is increased by $39,769,368 for the Homeowner Assistance program.

SECTION 33. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (1), chapter 640, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Oregon Liquor and Cannabis Commission, for administrative expenses, is increased by $504,000.

SECTION 34. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 504, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Board of Medical Imaging, is increased by $202,000, to address increasing investigatory workload, increased board stipends and other miscellaneous costs.

SECTION 35. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1, chapter 311, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Real Estate Agency, is increased by $151,083, for the eLicense information technology replacement project.

SECTION 36. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1, chapter 348, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Board of Tax Practitioners, is increased by $72,100, for operating expenses.

SECTION 37. Notwithstanding any other provision of law, the General Fund appropriation made to the State Forestry Department by section 1 (2), chapter 605, Oregon Laws 2021, for the biennium ending June 30, 2023, for fire protection, is increased by $46,298,469 for costs associated with the 2021 fire season.

SECTION 38. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 605, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in section 2, chapter 605, Oregon Laws 2021, collected or received by the State Forestry Department, for fire protection, is increased by $78,218,491 for the processing of payments of costs from the 2021 fire season.

SECTION 39. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 5 (1), chapter 605, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation to the State Forestry Department for fire protection expenses, is decreased by $6,146,267.

SECTION 40. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (1), chapter 602, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Oregon Department of Aviation, for operations, is increased by $766,259.

SECTION 41. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (3), chapter 602, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Oregon Department of Aviation, for pavement maintenance, is increased by $379,730.

SECTION 42. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Transportation by section 1 (2), chapter 442, Oregon Laws 2021, for the biennium ending June 30, 2023, for expenses related to debris removal associated with the 2020 wildfire season, is increased by $25,000,000.

SECTION 43. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 442, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received as reimbursement from the United States Department of Transportation, but excluding lottery funds and federal funds not described in section 2, chapter 442, Oregon Laws 2021, collected or received by the Department of Transportation, for the bridge program,

is increased by $3,636,767 for the Interstate Bridge Replacement program.

SECTION 44. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (9), chapter 442, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received as reimbursement from the United States Department of Transportation, but excluding lottery funds and federal funds not described in section 2, chapter 442, Oregon Laws 2021, collected or received by the Department of Transportation, for driver and motor vehicle services, is increased by $5,248,462.

SECTION 45. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 425, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter 425, Oregon Laws 2021, collected or received by the Oregon Department of Administrative Services, for the Chief Human Resources Office, is increased by $1,669,855 to address the increased costs of statewide training expenses and to support newly independent state agencies.

SECTION 46. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (7), chapter 425, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter 425, Oregon Laws 2021, collected or received by the Oregon Department of Administrative Services, for the Enterprise Goods and Services Division, is increased by $2,127,233 to address staffing needs associated with the out-of-state workforce, the modernization of the electronic procurement system and the establishment of newly independent state agencies.

SECTION 47. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3, chapter 505, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Secretary of State, is increased by $4,558,640 for the Oregon Centralized Voter Registration system replacement project.

SECTION 48. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 505, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Secretary of State, for the Administrative Services Division, is increased by $964,248, for server room upgrades and position actions.

SECTION 49. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (5), chapter 505, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Secretary of State, for the Corporation Division, is increased by $694,248, to accommodate increased bank card transaction and service fees.

SECTION 50. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (2), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses, other than expenses described in sections 6 and 14, chapter 603, Oregon Laws 2021, from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, corporate activity tax funds and federal funds, collected or received by the Department of Education, for operations, is increased by $376,967 for expenditures from the Vision Health Account.

SECTION 51. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6 (4), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of grants-in-aid, program costs and purchased services from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, corporate activity tax funds and federal funds, collected or received by the Department of Education for programs other than those specified in sections 5 and 14, chapter 603, Oregon Laws 2021, for all other grants, is increased by $1,123,033 for expenditures from the Vision Health Account.

SECTION 52. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 12 (4), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of grants-in-aid, program costs and purchased ser-

vices by the Department of Education from the Statewide Education Initiatives Account established under ORS 327.250, for all other grants, is decreased by $1,503,000 to fulfill the obligations for the American Indian/Alaska Native Student Success Plan.

SECTION 53. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 13, chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Department of Education from the Statewide Education Initiatives Account established under ORS 327.250, for operations, is increased by $1,503,000 to fulfill the obligations for the American Indian/Alaska Native Student Success Plan.

SECTION 54. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 12 (3), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of grants-in-aid, program costs and purchased services by the Department of Education from the Statewide Education Initiatives Account established under ORS 327.250, for statewide equity initiatives, is decreased by $643,464 to fulfill the obligations for the African American/Black Student Success Plan and Safe and Inclusive Schools Program.

SECTION 55. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 13, chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Department of Education from the Statewide Education Initiatives Account established under ORS 327.250, for operations, is increased by $643,464 to fulfill the obligations for the African American/Black Student Success Plan and Safe and Inclusive Schools Program.

SECTION 56. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6 (1), chapter 660, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds and funds described in sections 8 to 12, chapter 660, Oregon Laws 2021, collected or received by the Higher Education Coordinating Commission, for programs and related grants, is increased by $3,812,707 for the Oregon Teacher Scholars Program.

SECTION 57. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6 (1), chapter 660, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds and funds described in sections 8 to 12, chapter 660, Oregon Laws 2021, collected or received by the Higher Education Coordinating Commission, for programs and related grants, is increased by $1,000,000 for Educator Equity Plan Grants.

SECTION 58. Notwithstanding any other law limiting expenditures, the amount of $750,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Department of Human Services from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Human Services, for grants authorized under section 74, chapter 669, Oregon Laws 2021.

SECTION 59. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 469, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, and including federal Older Americans Act funds received from the Department of Human Services, but excluding lottery funds and federal funds not described in section 2, chapter 469, Oregon Laws 2021, collected or received by the Long Term Care Ombudsman, is increased by $258,160 for expenditure of a one-time federal funds transfer from the Department of Human Services to respond to the COVID-19 pandemic.

SECTION 60. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 469, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, and including federal Older Americans Act funds received from the Department of Human Services, but excluding lottery funds and federal funds not described in section 2, chapter 469, Oregon Laws 2021, collected or received by the Long Term Care Ombudsman, is increased by $6,000 to allow the agency to use donations received in support of the Oregon Public Guardian and Conservator program.

SECTION 61. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (1), chapter 468, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations and health services, is increased by

$6,000,000 to shift costs for repair and maintenance projects.

SECTION 62. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (1), chapter 468, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations and health services, is decreased by $131,200 to shift costs for the library services unit.

SECTION 63. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (2), chapter 468, Oregon Laws 2021, for the biennium ending June 30, 2023, for central administration and administrative services, is decreased by $6,000,000 to shift costs for repair and maintenance projects.

SECTION 64. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (3), chapter 468, Oregon Laws 2021, for the biennium ending June 30, 2023, for correctional services, is increased by $131,200 to shift costs for the library services unit.

SECTION 65. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 468, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Corrections, for central administration and administrative services, is decreased by $100,000, to shift costs for the community partner outreach program.

SECTION 66. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 468, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Corrections, for correctional services, is increased by $100,000, to shift costs for the community partner outreach program.

SECTION 67. Notwithstanding any other law limiting expenditures, the amount of $1,250,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Department of Justice from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Justice, for crime victims and survivor services, for grants authorized under section 74, chapter 669, Oregon Laws 2021.

SECTION 68. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Justice, for the General Counsel Division, is decreased by $447,784 for the Fair Housing Enforcement initiative.

SECTION 69. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Justice, for the Civil Enforcement Division, is increased by $447,784 for the Fair Housing Enforcement initiative.

SECTION 70. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 10, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, for the defense of criminal convictions, is decreased by $212,656.

SECTION 71. Notwithstanding any other law limiting expenditures, the amount of $52,430 is established for the biennium ending June 30, 2023, 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 Department of Justice, for debt service and related costs.

SECTION 72. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (3), chapter 662, Oregon Laws 2021, for the biennium ending June 30, 2023, for emergency management, is decreased by $269,505 to shift information technology costs between programs.

SECTION 73. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (1), chapter 662, Oregon Laws 2021, for the biennium ending June 30, 2023, for administration, is increased by $269,505 to shift information technology costs between programs.

SECTION 74. Notwithstanding any other law limiting expenditures, the amount of $1,137,980 is established for the biennium ending June 30, 2023, 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 Oregon Youth Authority, for debt service.

SECTION 75. Notwithstanding any other law limiting expenditures, the amount of $1,000,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Judicial Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Judicial Department, for grants authorized under section 74, chapter 669, Oregon Laws 2021.

SECTION 76. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 57, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Judicial Department from the Oregon Courthouse Capital Construction and Improvement Fund for the cost of issuing general obligation bonds for the Supreme Court building renovation, is decreased by $250,000.

SECTION 77. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 557, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in section 2, chapter 557, Oregon Laws 2021, collected or received by the Judicial Department, for operations, is increased by $250,000 for the cost of issuing general obligation bonds for the Supreme Court building renovation.

SECTION 78. Notwithstanding any other law limiting expenditures, the amount of $274,570 is established for the biennium ending June 30, 2023, 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 Judicial Department, for debt service.

SECTION 79. In addition to and not in lieu of any other appropriation, there is appropriated to the Judicial Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $2,000,000 for planning associated with the replacement of the Benton County Courthouse.

SECTION 80. Notwithstanding any other provision of law, the General Fund appropriation made to the Commission on Judicial Fitness and Disability by section 1 (1), chapter 167, Oregon Laws 2021, for the biennium ending June 30, 2023, for administration, is increased by $15,000.

SECTION 81. Notwithstanding any other law limiting expenditures, the expenditure limitation established by section 3 (5), chapter 560, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Oregon Business Development Department, for infrastructure, is increased by $283,034, for the payment of contractually obligated commitments related to the Columbia Corridor Drainage project.

SECTION 82. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $89,479 for a Confederated Tribes of the Warm Springs Reservation wastewater system improvement project.

SECTION 83. Notwithstanding any other law limiting expenditures, the amount of $287,800 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Business Development Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Oregon Business Development Department, for business, innovation, and trade, for the Rural Broadband Capacity Program.

SECTION 84. Notwithstanding any other law limiting expenditures, the amount of $2,940,041 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Business Development Department from the Tide Gate Grant and Loan Fund established by section 21, chapter 10, Oregon Laws 2020 (second special session), for the provision of grants and loans and other related supporting or administrative functions as allowed by statute.

SECTION 85. Notwithstanding any other provision of law, the General Fund appropriation made to the Housing and Community Services Department by section 1, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, is increased by $46,644.

SECTION 86. Notwithstanding any other provision of law, the General Fund appropriation made to the Housing and Community Services Department by section 5, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, for debt service for bond-related activities, is decreased by $46,644.

SECTION 87. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (7), chapter 503, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Consumer and Business Services, for the Building Codes Division, is decreased by $244,807.

SECTION 88. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 503, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Department of Consumer and Business Services, for the Building Codes Division, is increased by $244,807.

SECTION 89. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (1), chapter 558, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of administrative expenses by the Bureau of Labor and Industries from the Wage Security Fund, is decreased by $1,836,757.

SECTION 90. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 558, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Bureau of Labor and Industries, is increased by $1,836,757.

SECTION 91. Notwithstanding any other provision of law, the General Fund appropriation made to the Mental Health Regulatory Agency by section 266, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, for a demographic study of licensees and a diversity plan, is decreased by $300,000.

SECTION 92. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Board of Licensed Professional Counselors and Therapists, for the biennium ending June 30, 2023, out of the General Fund, the amount of $150,000, for a demographic study of licensees and a diversity plan.

SECTION 93. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Board of Psychology, for the biennium ending June 30, 2023, out of the General Fund, the amount of $150,000, for a demographic study of licensees and a diversity plan.

SECTION 94. Notwithstanding any other provision of law, the General Fund appropriation made to the Columbia River Gorge Commission by section 1, chapter 432, Oregon Laws 2021, for the biennium ending June 30, 2023, is increased by $25,000 for increases in costs for audit services, central services, wages and employee insurance benefits.

SECTION 95. Notwithstanding any other law limiting expenditures, the amount of $1,000,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the State Department of Fish and Wildlife from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the State Department of Fish and Wildlife, for deposit into the Oregon Conservation and Recreation Fund established by ORS 496.252, for outdoor recreation stimulus.

SECTION 96. Notwithstanding any other law limiting expenditures, the amount of $1,000,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the State Marine Board from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the State Marine Board for grants authorized under section 74, chapter 669, Oregon Laws 2021.

SECTION 97. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 602, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Oregon Department of Aviation, for operations, is increased by $633,162, for COVID-19 related costs.

SECTION 98. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (5)(b), chapter 425, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described

in section 2, chapter 425, Oregon Laws 2021, collected or received by the Oregon Department of Administrative Services, for the Office of the State Chief Information Officer - State Data Center, for pass-through expenditures, is decreased by $15,198,354.

SECTION 99. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (5)(c), chapter 425, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter 425, Oregon Laws 2021, collected or received by the Oregon Department of Administrative Services Office, for the Office of the State Chief Information Officer - State Data Center, for equipment lifecycle replacement, is increased by $15,198,354.

SECTION 100. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (15), chapter 425, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter 425, Oregon Laws 2021, collected or received by the Oregon Department of Administrative Services, for special governmental payments, is decreased by $6,394,311.

SECTION 101. Notwithstanding any other law limiting expenditures, the amount of $6,394,311 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from proceeds of lottery bonds, collected or received by the Oregon Department of Administrative Services, for special payments from proceeds of previously issued bonds.

SECTION 102. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 308, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts other than those described in section 3, chapter 308, Oregon Laws 2021, but excluding lottery funds and federal funds, collected or received by the State Library, is increased by $183,025.

SECTION 103. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3, chapter 308, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from moneys received from the assessment against state agencies described in ORS 357.203 and transferred to the Miscellaneous Receipts Account for the State Library, is decreased by $183,025.

SECTION 104. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 140, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Legislative Administration Committee, for the cost of issuing general obligation bonds and project costs for the Document Publishing and Management System, is increased by $4,205,000.

SECTION 105. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Justice, for the biennium ending June 30, 2023, out of the General Fund, the amount of $4,604,932, for the Office of the Attorney General and Administration, for the Legal Tools Replacement information technology project.

SECTION 106. Notwithstanding any other law limiting expenditures, the amount of $5,000,000 is established for the biennium ending June 30, 2023, 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 Department of Justice, for the Office of the Attorney General and Administration, for the Legal Tools Replacement information technology project.

SECTION 107. Notwithstanding any other law limiting expenditures, the amount of $105,000 is established for the biennium ending June 30, 2023, 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 Department of Justice, for debt service and related costs, for the cost of issuing bonds for the Legal Tools Replacement information technology project.

SECTION 108. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (1), chapter 662, Oregon Laws 2021, for the biennium ending June 30, 2023, for administration, is increased by $274,367 for fund split adjustments on positions.

SECTION 109. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter

662, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in this section, collected or received by the Oregon Military Department, for administration, is increased by $243,306 for fund split adjustments on positions.

SECTION 110. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (1), chapter 662, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, other than those described in section 2, chapter 662, Oregon Laws 2021, collected or received by the Oregon Military Department, for administration, is decreased by $517,673, for fund split adjustments on positions.

SECTION 111. Notwithstanding any other provision of law, the General Fund appropriation made to the State Board of Parole and Post-Prison Supervision by section 1, chapter 429, Oregon Laws 2021, for the biennium ending June 30, 2023, is increased by $74,000 for electronic records management.

SECTION 112. Notwithstanding any other provision of law, the General Fund appropriation made to the State Board of Parole and Post-Prison Supervision by section 1, chapter 429, Oregon Laws 2021, for the biennium ending June 30, 2023, is increased by $115,971 for information technology support.

SECTION 113. Notwithstanding any other provision of law, the General Fund appropriation made to the State Board of Parole and Post-Prison Supervision by section 1, chapter 429, Oregon Laws 2021, for the biennium ending June 30, 2023, is increased by $537,464 for an increase in release hearing workload.

SECTION 114. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Police by section 1 (1), chapter 470, Oregon Laws 2021, for the biennium ending June 30, 2023, for patrol services, criminal investigations, gaming enforcement and office of the State Fire Marshal, is increased by $1,149,500 for wildland firefighting equipment purchases.

SECTION 115. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Police by section 1 (1), chapter 470, Oregon Laws 2021, for the biennium ending June 30, 2023, for patrol services, criminal investigations, gaming enforcement and office of the State Fire Marshal, is decreased by $50,000, for implementation of the provisions of chapter 540, Oregon Laws 2021.

SECTION 116. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Police by section 1 (1), chapter 470, Oregon Laws 2021, for the biennium ending June 30, 2023, for patrol services, criminal investigations, gaming enforcement and office of the State Fire Marshal, is increased by $50,000 for the purchase of protective respirator masks.

SECTION 117. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3, chapter 381, Oregon Laws 2021, as the maximum limit for payment of expenses from federal funds collected or received by the Department of Public Safety Standards and Training, is increased by $232,043 for the Assistance to Firefighters Grants Program.

SECTION 118. Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 1 (2), chapter 557, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations, is increased by $337,000 for grand jury recordation.

SECTION 119. Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 1 (2), chapter 557, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations, is increased by $113,700 for Oregon Tax Court caseload growth.

SECTION 120. Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 1 (2), chapter 557, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations, is increased by $3,912,320 for the pretrial release program under chapter 643, Oregon Laws 2021.

SECTION 121. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 60, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Judicial Department from the Oregon Courthouse Capital Construction and Improvement Fund for the project costs of, and cost of issuing general obligation bonds for, the Clackamas County Courthouse is increased by $95,399,999.

SECTION 122. In addition to and not in lieu of any other appropriation, there is appropriated to the Public Defense Services Commission, for the biennium ending June 30, 2023, out of the General Fund, the amount of $12,806,640, for the

Trial Criminal Division, for the procurement of trial-level legal services for unrepresented clients.

SECTION 123. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 560, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Oregon Business Development Department, for the Arts and Cultural Trust, is increased by $1,680,000, for the provision of grants for artist resilience and county cultural coalitions.

SECTION 124. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4 (4), chapter 560, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Oregon Business Development Department, for arts, is increased by $803,500, for the administration and distribution of funding provided by the National Endowment for the Arts for the support of art programs.

SECTION 125. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (1), chapter 560, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Oregon Business Development Department, for business, innovation, and trade, is increased by $641,475, for increased program staffing.

SECTION 126. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses for operations, from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds from the United States Department of Housing and Urban Development for contract services, but excluding lottery funds and federal funds not described in section 2, chapter 556, Oregon Laws 2021, collected or received by the Housing and Community Services Department, is increased by $52,500,000 to provide financial assistance to aid in the acquisition, renovation or maintenance of properties with project-based federal rental assistance contracts, public housing undergoing significant recapitalization or publicly supported housing as defined in ORS 456.250, or to preserve the affordability of manufactured dwelling parks.

SECTION 127. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses for operations, from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds from the United States Department of Housing and Urban Development for contract services, but excluding lottery funds and federal funds not described in section 2, chapter 556, Oregon Laws 2021, collected or received by the Housing and Community Services Department, is increased by $30,000,000 for funding for loans to purchasers of land upon which affordable housing will be developed.

SECTION 128. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses for operations, from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds from the United States Department of Housing and Urban Development for contract services, but excluding lottery funds and federal funds not described in section 2, chapter 556, Oregon Laws 2021, collected or received by the Housing and Community Services Department, is increased by $5,000,000 for funding for loans to purchasers of naturally occurring affordable housing stock.

SECTION 129. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses for operations, from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds from the United States Department of Housing and Urban Development for contract services, but excluding lottery funds and federal funds not described in section 2, chapter 556, Oregon Laws 2021, collected or received by the Housing and Community Services Department, is increased by $5,000,000 for down payment assistance to borrowers who utilize mortgage lending programs offered by the Housing and Community Services Department.

SECTION 130. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses for operations, from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds from the United States Department of Housing and Urban Development for contract services, but excluding lottery funds and federal funds not described in section

2, chapter 556, Oregon Laws 2021, collected or received by the Housing and Community Services Department, is increased by $4,200,000 for loans related to the acquisition of manufactured home parks.

SECTION 131. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses for operations, from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds from the United States Department of Housing and Urban Development for contract services, but excluding lottery funds and federal funds not described in section 2, chapter 556, Oregon Laws 2021, collected or received by the Housing and Community Services Department, is increased by $2,800,000 for loans related to the decommissioning, disposal and replacement of manufactured housing units.

SECTION 132. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds other than those described in sections 2 and 6, chapter 556, Oregon Laws 2021, collected or received by the Housing and Community Services Department, is increased by $221,389,595 for Emergency Rental Assistance program expenditures.

SECTION 133. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (6), chapter 640, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Oregon Liquor and Cannabis Commission, for capital improvements, is increased by $210,000 for sewer line replacement.

SECTION 134. Notwithstanding any other provision of law, the General Fund appropriation made to the State Department of Energy by section 110, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, for debt service for the Small Scale Local Energy Project Loan Program, is decreased by $3,500,000.

SECTION 135. In addition to and not in lieu of any other appropriation, there is appropriated to the State Department of Energy, for the biennium ending June 30, 2023, out of the General Fund, the amount of $3,500,000, for deposit into the Small Scale Local Energy Project Administration and Bond Sinking Fund established by ORS 470.300, for the payment of debt service for the Small Scale Local Energy Project Loan Program.

SECTION 136. Notwithstanding any other law limiting expenditures, the amount of $3,500,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the State Department of Energy, for the payment of debt service for the Small Scale Local Energy Project Loan Program, from the Small Scale Local Energy Project Administration and Bond Sinking Fund established by ORS 470.300.

SECTION 137. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Environmental Quality by section 1 (4), chapter 673, Oregon Laws 2021, for the biennium ending June 30, 2023, for agency management, is increased by $484,553 for information technology costs related to the State Data Center.

SECTION 138. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 428, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the State Marine Board, for administration and education, is increased by $50,000 for the Abandoned and Derelict Vessels program.

SECTION 139. Notwithstanding any other provision of law, the General Fund appropriation made to the Water Resources Department by section 23a, chapter 4, Oregon Laws 2021 (second special session), for the biennium ending June 30, 2023, for deposit into the Water Well Abandonment, Repair and Replacement Fund established by ORS 537.766, is decreased by $435,994.

SECTION 140. In addition to and not in lieu of any other appropriation, there is appropriated to the Water Resources Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $435,994, for positions and other associated costs of administration of the Water Well Abandonment, Repair and Replacement Fund established by ORS 537.766.

SECTION 141. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (4), chapter 665, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds received under cooperative agreements with or contracts from the Bureau of Reclamation of the United States Department of the Interior, the United States

Army Corps of Engineers, the United States Geological Survey, the Bonneville Power Administration and the National Fish and Wildlife Foundation, but excluding lottery funds and federal funds not described in section 3, chapter 665, Oregon Laws 2021, collected or received by the Water Resources Department, for technical services, is decreased by $435,994 for authorized expenditures of moneys deposited in the Water Well Abandonment, Repair and Replacement Fund established by ORS 537.766.

SECTION 142. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5, chapter 680, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Watershed Enhancement Board from lottery moneys deposited into the Watershed Conservation Operating Fund established under ORS 541.945, for operating expenses, activities and projects to implement Article XV, section 4b, of the Oregon Constitution, is increased by $169,937, for monitoring and reporting conservation outcomes.

SECTION 143. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 151 (2), chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Department of Transportation from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Transportation, for Lake County for rehabilitation of the Lake County Railroad, is decreased by $3,349,960.

SECTION 144. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Transportation, for the biennium ending June 30, 2023, out of the General Fund, the amount of $3,349,960 for Lake County for rehabilitation of the Lake County Railroad.

SECTION 145. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 505, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Secretary of State, for the Archives Division, is increased by $120,876 for preservation of legislative records.

SECTION 146. Notwithstanding any other provision of law, the General Fund appropriation made to the Secretary of State by section 1 (2), chapter 505, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Elections Division, is increased by $327,122 for position costs.

SECTION 147. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 35 (1), chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation for the implementation of pretrial release under chapter 643, Oregon Laws 2021, is decreased by $2,500,000.

SECTION 148. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium ending June 30, 2023, out of the General Fund, the amount of $5,125,000, to be allocated to the Department of Justice, for the Division of Child Support, for the Child Enforcement Automated System.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 149. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (1), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for central services, is decreased by $368,453.

SECTION 150. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for central services, is increased by $43,210,129.

SECTION 151. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (1), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for central services, is increased by $9,428,888.

SECTION 152. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (2), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for state assessments and enterprise-wide costs, is increased by $13,799,021.

SECTION 153. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for state assessments and enterprise-wide costs, is increased by $37,585.

SECTION 154. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (2), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for state assessments and enterprise-wide costs, is increased by $6,995,612.

SECTION 155. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (8), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for shared services, is increased by $2,577,977.

SECTION 156. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (4), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for vocational rehabilitation services, is increased by $17,246,186.

SECTION 157. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (3), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for self-sufficiency programs, is decreased by $5,125,710.

SECTION 158. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for self-sufficiency programs, is increased by $1,489,529.

SECTION 159. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (3), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for self-sufficiency programs, is increased by $13,492,484.

SECTION 160. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (5), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for child welfare programs, is decreased by $5,445,274.

SECTION 161. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (5), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for child welfare programs, is decreased by $3,503,255.

SECTION 162. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (5), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for child welfare programs, is increased by $1,967,891.

SECTION 163. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (6), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for aging and people with disabilities programs, is decreased by $54,943,191.

SECTION 164. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for aging and people with disabilities programs, is increased by $62,104,539.

SECTION 165. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (6), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for aging and people with disabilities programs, is decreased by $117,223,088.

SECTION 166. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (7), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for intellectual/developmental disabilities programs, is increased by $13,902,861.

SECTION 167. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (7), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for intellectual/developmental disabilities programs, is increased by $3,246,354.

SECTION 168. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (7), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for intellectual/developmental disabilities programs, is increased by $61,112,446.

SECTION 169. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (5), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for child welfare programs, is increased by $10,961,922 for position costs.

SECTION 170. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (5), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for child welfare programs, is increased by $45,474 for position costs.

SECTION 171. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (5), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for child welfare programs, is increased by $4,654,665 for position costs.

SECTION 172. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (1), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for

central services, is increased by $4,438,678 for child welfare-related position costs.

SECTION 173. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for central services, is increased by $132,774 for child welfare-related position costs.

SECTION 174. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (1), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for central services, is increased by $4,379,008 for child welfare-related position costs.

SECTION 175. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (8), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for shared services, is increased by $785,512 for child welfare-related position costs.

SECTION 176. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (2), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for state assessments and enterprise-wide costs, is increased by $459,080 for child welfare-related position costs.

SECTION 177. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care and Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for state assessments and enterprise-wide costs, is increased by $44,040 for child welfare-related position costs.

SECTION 178. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (2), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for state assessments and enterprise-wide costs, is increased by $439,949 for child welfare-related position costs.

SECTION 179. Notwithstanding any other law limiting expenditures, the amount of $4,432,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Department of Human Services from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Human Services, for aging and people with disabilities programs, for a one-time retention incentive payment for eligible nursing facility staff.

SECTION 180. Notwithstanding any other law limiting expenditures, the amount of $3,347,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Department of Human Services from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Human Services, for intellectual/developmental disabilities programs, for a one-time retention incentive payment for eligible group home staff.

SECTION 181. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (7), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for intellectual/developmental disabilities programs, is increased by $1,525,311 for a negotiated tem-

porary COVID-19 incentive payment to eligible Stabilization and Crisis Unit staff.

SECTION 182. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (7), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for intellectual/developmental disabilities programs, is increased by $2,320,172 for a negotiated temporary COVID-19 incentive payment to eligible Stabilization and Crisis Unit staff.

SECTION 183. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (6), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for aging and people with disabilities programs, is increased by $183,765,468 for the expenditure of enhanced federal funds for home and community-based services.

SECTION 184. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (7), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for intellectual/developmental disabilities programs, is increased by $251,804,609 for the expenditure of enhanced federal funds for home and community-based services.

SECTION 185. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (1), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for central services, is increased by $9,200,000 for contracts or programs to help meet staffing shortages.

SECTION 186. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 62, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Judicial Department from the Oregon Courthouse Capital Construction and Improvement Fund for the project costs of, and cost of issuing general obligation bonds for, the Crook County Courthouse, is increased by $4,445,000.

SECTION 187. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 63, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Judicial Department from the Oregon Courthouse Capital Construction and Improvement Fund for local matching funds for the Crook County Courthouse is increased by $4,416,705.

SECTION 188. In addition to and not in lieu of any other appropriation, there is appropriated to the Public Defense Services Commission, for the biennium ending June 30, 2023, out of the General Fund, the amount of $743,588, for the Administrative Services Division, for the planning phase of a financial and case management information technology system.

SECTION 189. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4 (1), chapter 560, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Oregon Business Development Department, for business, innovation and trade, is increased by $1,000,000, for economic development and recovery activities.

SECTION 190. Notwithstanding any other law limiting expenditures, the amount of $90,660 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Land Conservation and Development Commission from the City Economic Development Pilot Program Fund established by ORS 197A.413.

SECTION 191. Notwithstanding any other law limiting expenditures, the amount of $250,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the State Parks and Recreation Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the State Parks and Recreation Department, for grants authorized under section 74, chapter 669, Oregon Laws 2021.

SECTION 192. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Revenue by section 1 (4), chapter 441, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Business Division, is increased by $326,344 for the administration and enforcement of ORS 475A.658 to 475A.714.

SECTION 193. In addition to and not in lieu of any other appropriation, there is appropriated to the Public Employees Retirement System, for the biennium ending June 30, 2023, out of the General Fund, the amount of $17,250,000, to be deposited in the Employer Incentive Fund established under section 1, chapter 105, Oregon Laws 2018.

SECTION 194. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3, chapter 145, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, by the Public Employees Retirement System from the Employer Incentive Fund, is increased by $17,249,999, for state matching funds.

SECTION 195. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 145, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Public Employees Retirement System for the Employer Incentive Fund, is increased by $2,669,467, for state matching funds.

SECTION 196. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 5 (1), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation to the Department of Human Services for positions to reduce the number of double-fill positions associated with the child welfare program, is decreased by $15,859,656.

SECTION 197. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for health systems, health policy and analytics, and public health, is increased by $1,416,269 for administration of a statewide coordinated crisis system.

SECTION 198. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (3), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for central services, state assessments and enterprise-wide costs, is increased by $354,921 for administration of a statewide coordinated crisis system.

SECTION 199. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, tobacco tax receipts, marijuana tax receipts, beer and wine tax receipts, provider taxes and Medicare receipts, but excluding lottery funds and federal funds not described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $20,285 for administration of a statewide coordinated crisis system.

SECTION 200. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, tobacco tax receipts, marijuana tax receipts, beer and wine tax receipts, provider taxes and Medicare receipts, but excluding lottery funds and federal funds not described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for central services, state assessments and enterprise-wide costs, is increased by $42,574 for administration of a statewide coordinated crisis system.

SECTION 201. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $160,641 for administration of a statewide coordinated crisis system.

SECTION 202. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (3), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for central services, state assessments and enterprise-wide costs, is increased by $173,704 for administration of a statewide coordinated crisis system.

SECTION 203. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668,

Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $30,263,630 for the expenditure of enhanced federal funds for home and community-based services.

SECTION 204. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for health systems, health policy and analytics, and public health, is increased by $5,400,000 for expanding citizenship waived medical services.

SECTION 205. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $8,800,000 for expanding citizenship waived medical services.

SECTION 206. Notwithstanding any other law limiting expenditures, the amount of $12,400,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Health Authority from Coronavirus Aid, Relief, and Economic Security Act Coronavirus Relief Fund moneys received by the Oregon Department of Administrative Services and transferred to the Oregon Health Authority, for COVID-19 pandemic response activities and behavioral health workforce incentives.

SECTION 207. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for health systems, health policy and analytics, and public health, is increased by $397,478 for health equity program and data support.

SECTION 208. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (3), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for central services, state assessments and enterprise-wide costs, is increased by $3,417,283 for human resources program capacity and the transfer of funds between programs for health equity data support.

SECTION 209. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, tobacco tax receipts, marijuana tax receipts, beer and wine tax receipts, provider taxes and Medicare receipts, but excluding lottery funds and federal funds not described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for central services, state assessments and enterprise-wide costs, is increased by $348,439 for human resources program capacity.

SECTION 210. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $615,537 for health equity program and data support and injury and violence prevention program capacity.

SECTION 211. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (3), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for central services, state assessments and enterprise-wide costs, is increased by $283,586 for human resources program capacity and the transfer of funds between programs for health equity data support.

SECTION 212. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6 (4), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of grants-in-aid, program costs and purchased services from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, corporate activity tax funds and federal funds, collected or received by the Department of Education for programs other than those specified in sections 5 and 14, chapter 603, Oregon Laws 2021, for all other grants, is increased by $26,058,151 for the High School Success and College and Career Readiness Program.

SECTION 213. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by

section 19, chapter 518, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Early Childhood Suspension and Expulsion Prevention Program, is decreased by $5,800,000.

SECTION 214. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 1 (1), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations, is increased by $2,023,083 for the Early Childhood Suspension and Expulsion Prevention Program.

SECTION 215. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 2 (5), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, for distribution as grants-in-aid, for program costs and to purchase services, for other early learning programs, is increased by $3,776,917 for the Early Childhood Suspension and Expulsion Prevention Program.

SECTION 216. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Justice, for the biennium ending June 30, 2023, out of the General Fund, the amount of $314,528, for the Criminal Justice Division, to implement chapter 541, Oregon Laws 2021.

SECTION 217. Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 5, chapter 557, Oregon Laws 2021, for the biennium ending June 30, 2023, is decreased by $51,710 for the Council on Court Procedures.

SECTION 218. Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 1 (5), chapter 557, Oregon Laws 2021, for the biennium ending June 30, 2023, for debt service, is decreased by $10,249.

SECTION 219. Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 1 (2), chapter 557, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations, is increased by $61,959 for general operational expenses.

SECTION 220. Notwithstanding any other law limiting expenditures, the amount of $398,139 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Department of Administrative Services from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services, for the Chief Human Resources Office to expand Workday functionality.

SECTION 221. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $4,000,000 for Enterprise Asset Management to purchase vehicles for agency use and to cover increased fuel and maintenance costs.

SECTION 222. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter 425, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter 425, Oregon Laws 2021, collected or received by the Oregon Department of Administrative Services, for Enterprise Asset Management, is increased by $3,400,000 to purchase vehicles for agency use and to cover increased fuel and maintenance costs.

SECTION 223. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $3,345,000 for Enterprise Information Services to support Microsoft 365 maintenance and operations.

SECTION 224. Notwithstanding any other law limiting expenditures, the amount of $26,323,860 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Department of Administrative Services from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services for Enterprise Information Services to support broadband investments and cybersecurity modernization.

SECTION 225. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Justice, for the biennium ending June 30, 2023, out of the General Fund, the amount of $11,250,000, for crime victim and survivor services, for supplemental funding of the federal Victims of Crime Act grants.

SECTION 226. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Justice, for the biennium ending June 30, 2023, out of the General Fund, the amount of $10,000,000, for crime victim and survivor services, for deposit into the Oregon

Domestic and Sexual Violence Services Fund established under ORS 147.453.

SECTION 227. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (5), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Justice, for crime victim and survivor services, is increased by $10,000,000, for the Oregon Domestic and Sexual Violence Services Fund established under ORS 147.453.

SECTION 228. Notwithstanding any other law limiting expenditures, the amount of $15,000,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Department of Justice, from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Justice, for crime victim and survivor services, for community violence prevention grants.

SECTION 229. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (3), chapter 662, Oregon Laws 2021, for the biennium ending June 30, 2023, for emergency management, is decreased by $8,654,366, for the establishment of the Oregon Department of Emergency Management.

SECTION 230. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (5), chapter 662, Oregon Laws 2021, for the biennium ending June 30, 2023, for debt service, is decreased by $1,576,705, for the establishment of the Oregon Department of Emergency Management.

SECTION 231. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 662, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in section 2, chapter 662, Oregon Laws 2021, collected or received by the Oregon Military Department, for emergency management, is decreased by $74,495,733, for the establishment of the Oregon Department of Emergency Management.

SECTION 232. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (3), chapter 662, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, other than those described in section 2, chapter 662, Oregon Laws 2021, collected or received by the Oregon Military Department, for emergency management, is decreased by $702,235,504, for the establishment of the Oregon Department of Emergency Management.

SECTION 233. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Emergency Management, for the biennium ending June 30, 2023, out of the General Fund, the amount of $7,896,756, for administration.

SECTION 234. Notwithstanding any other law limiting expenditures, the amount of $484,877 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in this section, collected or received by the Oregon Department of Emergency Management, for administration.

SECTION 235. Notwithstanding any other law limiting expenditures, the amount of $68,337,111 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in this section, collected or received by the Oregon Department of Emergency Management, for the 9-1-1 emergency program.

SECTION 236. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Emergency Management, for the biennium ending June 30, 2023, out of the General Fund, the amount of $757,611, for preparedness and response.

SECTION 237. Notwithstanding any other law limiting expenditures, the amount of $5,673,745 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in this section, collected or received by the Oregon Department of Emergency Management, for preparedness and response.

SECTION 238. Notwithstanding any other law limiting expenditures, the amount of $37,092,457 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, other than those described in section 237 of this 2022 Act, collected or received by the Oregon Department of Emergency Management, for preparedness and response.

NOTE: Section 239 was deleted. Subsequent sections were not renumbered.

SECTION 240. Notwithstanding any other law limiting expenditures, the amount of $665,143,048 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, other than those described in section 237 of this 2022 Act, collected or received by the Oregon Department of Emergency Management, for mitigation and recovery.

SECTION 241. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Emergency Management, for the biennium ending June 30, 2023, out of the General Fund, the amount of $1,576,705, for debt service.

SECTION 242. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 159, chapter 539, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation to the Department of State Police for preparing the office of the State Fire Marshal as a separate state agency, is decreased by $1,807,561.

SECTION 243. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Police by section 1 (1), chapter 470, Oregon Laws 2021, for the biennium ending June 30, 2023, for patrol services, criminal investigations, gaming enforcement and the office of the State Fire Marshal, is increased by $1,807,561 for preparing the office of the State Fire Marshal as a separate state agency.

SECTION 244. Notwithstanding any other law limiting expenditures, the amount of $7,368,864 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Housing and Community Services Department for activities and capacity associated with disaster recovery and resiliency.

SECTION 245. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4 (3), chapter 4, Oregon Laws 2021 (second special session), for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Housing and Community Services Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Housing and Community Services Department for a grant to Home Forward for distributions to compensate landlords pursuant to section 9, chapter 420, Oregon Laws 2021, is decreased by $10,000,000.

SECTION 246. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $10,000,000 for a grant to Home Forward for distributions to compensate landlords pursuant to section 9, chapter 420, Oregon Laws 2021.

SECTION 247. Notwithstanding any other provision of law, the General Fund appropriation made to the Housing and Community Services Department by section 1, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, is decreased by $100,000,000.

SECTION 248. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $165,000,000, for deposit into the General Housing Account created by ORS 458.620, to provide financial assistance to aid in the acquisition, renovation or maintenance of properties with project-based federal rental assistance contracts, of public housing undergoing significant recapitalization or of publicly supported housing as defined in ORS 456.250, or to preserve the affordability of manufactured dwelling parks.

SECTION 249. Notwithstanding any other provision of law, the General Fund appropriation made to the Housing and Community Services Department by section 273, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, for funding for loans to purchasers of naturally occurring affordable housing stock or land upon which affordable housing will be developed, is decreased by $30,000,000.

SECTION 250. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $40,000,000 for deposit into the Housing Acquisition Fund established under section 9, chapter 671, Oregon Laws 2019, for funding for loans to purchasers of naturally occurring affordable housing stock or land upon which affordable housing will be developed.

SECTION 251. Notwithstanding any other provision of law, the General Fund appropriation made to the Bureau of Labor and Industries by section 1, chapter 558, Oregon Laws 2021, for the biennium ending June 30, 2023, is increased by $2,006,730 for Portland office relocation expenses.

SECTION 252. Notwithstanding any other provision of law, the General Fund appropriation made to the Bureau of Labor and Industries by section 1, chapter 558, Oregon Laws 2021, for the biennium ending June 30, 2023, is increased by $173,164 for wage claims and complaints processing.

SECTION 253. In addition to and not in lieu of any other appropriation, there is appropriated to the State Department of Agriculture, for the biennium ending June 30, 2023, out of the General Fund, the amount of $180,000, for the purposes of regulation and enforcement relating to animal rescue entities, as defined in ORS 609.415.

SECTION 254. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Environmental Quality by section 1 (1), chapter 673, Oregon Laws 2021, for the biennium ending June 30, 2023, for air quality, is increased by $95,046 for laboratory operations.

SECTION 255. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Environmental Quality by section 1 (2), chapter 673, Oregon Laws 2021, for the biennium ending June 30, 2023, for water quality, is increased by $411,538 for laboratory operations.

SECTION 256. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Environmental Quality by section 1 (3), chapter 673, Oregon Laws 2021, for the biennium ending June 30, 2023, for land quality, is increased by $10,416 for laboratory operations.

SECTION 257. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 1a, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation to state agencies for state employee compensation changes, is decreased by $198,000,000.

SECTION 258. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for health systems, health policy and analytics, and public health, is decreased by $159,461,249 for rebalancing the agency's budget.

SECTION 259. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (2), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Oregon State Hospital, is decreased by $2,525,518 for rebalancing the agency's budget.

SECTION 260. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (3), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for central services, state assessments and enterprise-wide costs, is increased by $18,230,180 for rebalancing the agency's budget.

SECTION 261. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, tobacco tax receipts, marijuana tax receipts, beer and wine tax receipts, provider taxes and Medicare receipts, but excluding lottery funds and federal funds not described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $1,041,724,695 for rebalancing the agency's budget.

SECTION 262. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, tobacco tax receipts, marijuana tax receipts, beer and wine tax receipts, provider taxes and Medicare receipts, but excluding lottery funds and federal funds not described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for central services, state assessments and enterprise-wide costs, is decreased by $2,649,904 for rebalancing the agency's budget.

SECTION 263. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, tobacco tax receipts, marijuana tax receipts, beer and wine tax receipts, provider taxes and Medicare receipts, but excluding lottery funds and

federal funds not described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for shared administrative services, is increased by $8,891,780 for rebalancing the agency's budget.

SECTION 264. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Oregon Health Authority, for health systems and health policy and analytics, is decreased by $200,000 for rebalancing the agency's budget.

SECTION 265. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (2), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Oregon Health Authority, for central services, state assessments and enterprise-wide costs, is increased by $200,000 for rebalancing the agency's budget.

SECTION 266. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $732,693,078 for rebalancing the agency's budget.

SECTION 267. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (2), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for the Oregon State Hospital, is increased by $1,560,378 for rebalancing the agency's budget.

SECTION 268. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (3), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for central services, state assessments and enterprise-wide costs, is increased by $7,208,052 for rebalancing the agency's budget.

SECTION 269. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 7, chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Public Employees' Benefit Board from the Public Employees' Revolving Fund for benefit plan premiums and self-insurance, is increased by $7,200,000 for rebalancing the agency's budget.

SECTION 270. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 8, chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Educators Benefit Board from the Oregon Educators Revolving Fund for benefit plan premiums and self-insurance, is increased by $7,200,000 for rebalancing the agency's budget.

SECTION 271. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (3), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for central services, state assessments and enterprise-wide costs, is increased by $983,411 for financial, internal auditing and information services.

SECTION 272. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, tobacco tax receipts, marijuana tax receipts, beer and wine tax receipts, provider taxes and Medicare receipts, but excluding lottery funds and federal funds not described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for central services, state assessments and enterprise-wide costs, is increased by $159,031 for financial, internal auditing and information services.

SECTION 273. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, tobacco tax receipts, marijuana tax receipts, beer and wine tax receipts, provider taxes and Medicare receipts, but excluding lottery funds and federal funds not described in section 2, chapter 668, Oregon Laws 2021, collected or received by

the Oregon Health Authority, for shared administrative services, is increased by $1,705,716 for financial, internal auditing and information services.

SECTION 274. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $273,890 for financial, internal auditing and information services.

SECTION 275. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (2), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Oregon State Hospital, is increased by $10,810,943 for maintaining appropriate staffing levels.

SECTION 276. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 11 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation to the Oregon Health Authority for maintaining appropriate staffing levels at the Oregon State Hospital, is decreased by $10,810,943.

SECTION 277. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1 (6), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Division of Child Support, is decreased by $213,517, for a child support receipting and payment services vendor contract.

SECTION 278. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (8), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Justice, for the Division of Child Support, is decreased by $37,146, for a child support receipting and payment services vendor contract.

SECTION 279. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (4), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Department of Justice, for the Division of Child Support, is decreased by $486,565, for a child support receipting and payment services vendor contract.

SECTION 280. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (3), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for self-sufficiency programs, is increased by $1,005,329 for families experiencing low or no income.

SECTION 281. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (3), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for self-sufficiency programs, is increased by $25,101,484 for families experiencing low or no income.

SECTION 282. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (2), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for state assessments and enterprise-wide costs, is increased by $1,239,601 for financial, internal audit, and information services.

SECTION 283. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for state assessments and enterprise-wide costs, is increased by $59,343 for financial, internal audit, and information services.

SECTION 284. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (2), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for state assessments and enterprise-wide costs, is increased by $719,075 for financial, internal audit, and information services.

SECTION 285. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (8), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and Medicare receipts and including federal funds for indirect cost recovery, Social Security Supplemental Security Income recoveries and the Child Care Development Fund, but excluding lottery funds and federal funds not described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for shared services, is increased by $1,150,607 for financial, internal audit, and information services.

SECTION 286. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of State Lands, for the biennium ending June 30, 2023, out of the General Fund, the amount of $121,000,000 to ensure that financial obligations to the Common School Fund related to the Elliott State Forest are satisfied.

SECTION 287. Notwithstanding any other provision of law, the General Fund appropriation made to the Office of the Governor for the Office of Immigrant and Refugee Advancement by section 2, chapter 594, Oregon Laws 2021, for the biennium ending June 30, 2023, is decreased by $1,376,037 for transfer of the Office of Immigrant and Refugee Advancement to the Department of Human Services.

SECTION 288. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (1), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for central services, is increased by $1,376,037, for transfer of the Office of Immigrant and Refugee Advancement to the Department of Human Services.

SECTION 289. Notwithstanding any other provision of law, the General Fund appropriation made to the Office of the Governor by section 1, chapter 434, Oregon Laws 2021, for the biennium ending June 30, 2023, is increased by $199,106 for a corrections gender-responsive coordinator.

SECTION 290. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (1), chapter 468, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations and health services, is increased by $51,421 for assessing gender-responsive practices in correctional settings.

SECTION 291. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of State Police, for the biennium ending June 30, 2023, out of the General Fund, the amount of $2,600,000, for the purpose of funding the Firearms Instant Check System unit.

SECTION 292. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Police by section 1 (4), chapter 470, Oregon Laws 2021, for the biennium ending June 30, 2023, for administrative services, agency support and criminal justice information services, is increased by $112,291 for a tribal relations liaison.

SECTION 293. In addition to and not in lieu of any other appropriation, there is appropriated to the Judicial Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $1,500,000, for the Deschutes County Circuit Court renovation and expansion.

SECTION 294. In addition to and not in lieu of any other appropriation, there is appropriated to the Judicial Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $2,000,000, for the Columbia County Courthouse life safety and accessibility improvements.

SECTION 295. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 206, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Business Development Department from American Rescue Plan Act Capital Projects Fund moneys received by the Oregon Department of Administrative Services and deposited in the Broadband Fund established by section 4, chapter 17, Oregon Laws 2020 (first special session), is increased by $36,795,418.

SECTION 296. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $600,000, for the purpose of completing comprehensive emerging sector market analyses on organic agriculture and organic products, cannabis, commercial music, ocean resources and the blue economy, and live performance.

SECTION 297. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $984,000, for distribution to the City of St. Helens for a Central Waterfront Redevelopment project.

SECTION 298. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $2,000,000 for distribution to the Portland Japanese Garden for the Japan Institute.

SECTION 299. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $15,000,000, for distribution to the Oregon International Port of Coos Bay for the Coos Bay Channel Modification Project.

SECTION 300. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 503, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Department of Consumer and Business Services, for Oregon OSHA, is increased by $2,900,000, for COVID-19 related costs.

SECTION 301. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 673, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, the proceeds of bonds for the Orphan Site Account and federal funds from congestion mitigation and air quality grants, drinking water protection, laboratory accreditation and woodstove grants and for smoke monitoring laboratory services, but excluding lottery funds and federal funds not described in section 2, chapter 673, Oregon Laws 2021, collected or received by the Department of Environmental Quality, for land quality, is increased by $56,604, for administration of a mattress stewardship program.

SECTION 302. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Watershed Enhancement Board, for the biennium ending June 30, 2023, out of the General Fund, the amount of $239,000, for administrative costs associated with the distribution of funding and management of programs addressing drought conditions.

SECTION 303. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Watershed Enhancement Board, for the biennium ending June 30, 2023, out of the General Fund, the amount of $5,203,786, for a program to distribute grants for certain natural resource recovery actions in areas affected by 2021 fires.

SECTION 304. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Watershed Enhancement Board, for the biennium ending June 30, 2023, out of the General Fund, the amount of $10,000,000, for deposit in the Flexible Incentives Account established under ORS 541.937, for the purpose of funding a program providing grants in support of voluntary water acquisitions.

SECTION 305. Notwithstanding any other law limiting expenditures, the amount of $10,000,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Watershed Enhancement Board from the Flexible Incentives Account established under ORS 541.937, for a program providing grants in support of voluntary water acquisitions.

SECTION 306. In addition to and not in lieu of any other appropriation, there is appropriated to Oregon Watershed Enhancement Board, for the biennium ending June 30, 2023, out of the General Fund, the amount of $5,000,000, for deposit in the Oregon Agricultural Heritage Fund established under ORS 541.978, for the uses described in ORS 541.979.

SECTION 307. Notwithstanding any other law limiting expenditures, the amount of $5,000,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Watershed Enhancement Board from the Oregon Agricultural Heritage Fund established under ORS 541.978, for the purposes described in ORS 541.979.

SECTION 308. The allocation made by the Oregon Watershed Enhancement Board to the State Department of Agriculture under section 3, chapter 680, Oregon Laws 2021, from moneys deposited into the Watershed Conservation Operating Fund established under ORS 541.945, for activities and projects to implement Article XV, section 4b, of the Oregon Constitution, is increased by $1,213,188.

SECTION 309. The allocation made by the Oregon Watershed Enhancement Board to the Department of State Police under section 1, chapter 680, Oregon Laws 2021, from moneys deposited into the Watershed Conservation Operating Fund established under ORS 541.945, for fish and wildlife activities and projects to implement Article XV, section 4b, of the Oregon Constitution, is increased by $249,144.

SECTION 310. The allocation made by the Oregon Watershed Enhancement Board to the State Department of Fish and Wildlife under section 2, chapter 680, Oregon Laws 2021, from moneys deposited into the Watershed Conserva-

tion Operating Fund established under ORS 541.945, for activities and projects to implement Article XV, section 4b, of the Oregon Constitution, is increased by $118,337.

SECTION 311. The allocation made by the Oregon Watershed Enhancement Board to the Department of Environmental Quality under section 4, chapter 680, Oregon Laws 2021, from moneys deposited into the Watershed Conservation Operating Fund established under ORS 541.945, for activities and projects to implement Article XV, section 4b, of the Oregon Constitution, is increased by $224,550.

SECTION 312. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium ending June 30, 2023, out of the General Fund, the amount of $50,000,000, to be allocated to the State Forestry Department for cash flow needs.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

NOTE: Section 313 was deleted. Subsequent sections were not renumbered.

SECTION 314. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (8), chapter 660, Oregon Laws 2021, for the biennium ending June 30, 2023, for public university statewide programs, is increased by $7,500,000 for the Strong Start Program.

SECTION 315. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (9), chapter 660, Oregon Laws 2021, for the biennium ending June 30, 2023, for statewide public services, is increased by $1,000,000 to support the Oregon State University Extension Service Oregon Bee Project.

SECTION 316. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (8), chapter 660, Oregon Laws 2021, for the biennium ending June 30, 2023, for public university statewide programs, is increased by $700,000 to support the expansion of the University of Oregon College of Education's Oregon Child Abuse Prevalence Study.

SECTION 317. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (7), chapter 660, Oregon Laws 2021, for the biennium ending June 30, 2023, for Oregon Health and Science University education and other programs, is increased by $45,000,000 to support expanded capacity for health care education and pathway programs and to provide tuition assistance and loan repayment to learners from underrepresented communities.

SECTION 318. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (1), chapter 468, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations and health services is decreased by $74,716,564.

SECTION 319. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 95, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Department of Corrections from Coronavirus Aid, Relief, and Economic Security Act Coronavirus Relief Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Corrections, for the purpose of expenditures and activities to respond to the COVID-19 public health emergency, is increased by $74,716,564.

SECTION 320. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Justice, for the biennium ending June 30, 2023, out of the General Fund, the amount of $2,750,000, for crime victim and survivor services for grants to court appointed special advocate programs.

SECTION 321. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $835,000, for distribution to the Crescent Sanitary District for the retirement of debt related to its sewer collection and treatment system project.

SECTION 322. Section 196, chapter 669, Oregon Laws 2021, is amended to read:

Sec. 196. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2021, as the maximum limits for payment of expenses by the Oregon Business Development Department, from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Oregon Business Development Department, for infrastructure, for grants to the following entities, for the following purposes:

(1) City of Mill City - Storm Drainage Improvements..... $ 2,923,500

(2) Hood River Waterfront Stormwater Line..... $ 2,694,953
(3) City of Elgin Wastewater Collection System..... $ 2,640,125
(4) City of Sandy Wastewater
[*Treatment Plant*..... *$ 14,700,000*]
System Improvements ..... $ 14,700,000
(5) Marion County - North Santiam Septic to Sewer ..... $ 50,000,000
(6) City of Turner - Water Pipe Project..... $ 3,000,000
(7) City of Vale - Wastewater Treatment Facility Headworks Improvements..... $ 100,000
(8) City of Astoria - 16th St. Distribution Waterline Replacement ..... $ 2,790,000
(9) City of Astoria - Pipeline Road Waterline Resilience..... $ 2,930,000
(10) City of Clatskanie - Waste Water Treatment Plant..... $ 10,000,000
(11) Lyons-Mehama Water District..... $ 5,260,000
(12) Port of Toledo - Sanitary Sewer Extension to Hwy 20 ..... $ 2,425,798
(13) City of Waldport - Water Tank Project ..... $ 974,850
(14) Arch Cape Domestic Water Supply District - Arch Cape Forest Project ..... $ 2,000,000
(15) City of Astoria - Wastewater Treatment Plant Headworks Improvement Project ..... $ 4,860,000
(16) City of Echo - Water System Improvements..... $ 5,530,000
(17) City of Echo - Waste Water System Improvements..... $ 1,500,000
(18) City of Aurora - Wastewater Treatment Plant Facility ..... $ 10,545,543
(19) City of Aurora - Water Storage Tank and Pump Station ... $ 4,284,203
(20) Crane Union School District 1J - Crane Community Water and Sewer System..... $ 3,200,000
(21) City of Arlington - Columbia River Municipal Pump Station ..... $ 250,000
(22) City of Arlington - Wastewater Facilities Plan..... $ 65,000
(23) City of Tillamook - Water Transmission Line Replacement.... $ 12,000,000
(24) Mapleton Water District - Infrastructure project ..... $ 1,140,000
(25) City of Lakeside - New Wastewater Treatment Plant..... $ 14,628,685
(26) City of Scappoose - New Headworks and Grit Chamber, Basalt Well, 2M Gal Keys Road Reservoir, Miller WTP Repair, Smith Road Pump Station ..... $ 10,000,000
(27) City of Aumsville - Water System Improvements..... $ 2,500,000
(28) City of Philomath - Water Treatment Plant and Reservoir Construction..... $ 12,000,000
(29) Wasco County Soil and Water Conservation District - Mosier Million #2 ..... $ 900,000
[*(30) Crescent Sanitary District*..... *$ 835,000*]
(30) Crescent Sanitary District..... $ 0
(31) City of Carlton - Wastewater Treatment Plant..... $ 5,800,000
(32) Lane County - McKenzie River Valley Drinking Water and Wastewater System Replacements..... $ 15,500,000
(33) Panther Creek Water District - Water Reservoir Replacement..... $ 1,800,000
(34) Lincoln County - Panther
[*Creek Septic/Stormwater*..... *$ 15,000,000*]
Creek Septic/Stormwater..... $ 4,000,000
(35) City of Detroit - Drinking Water System..... $ 3,000,000
(36) City of Ashland - Talent-Ashland-Phoenix (TAP) Intertie Improvements..... $ 3,000,000
(37) Lincoln County - Well Repair..... $ 500,000
(38) City of Gates - Water Meter Replacement ..... $ 25,000
(39) City of Phoenix - Charlotte Ann Water District Disbanding Transition Costs ..... $ 5,000,000
(40) City of Powers - Sewer Collection System and Sewer Plant ..... $ 3,000,000
(41) City of Roseburg - Storm Improvements..... $ 1,570,064
(42) Cave Junction - Water Distribution Center..... $ 200,000
(43) City of Mosier - Waste Water Treatment Plan Update ..... $ 2,500,000
(44) City of Nyssa - Water Expansion..... $ 3,000,000
(45) City of Medford - SW Medford Water and Sewer Infrastructure ... $ 2,700,000
(46) City of Redmond - Skyline Village Affordable Housing Sewer ..... $ 950,000
(47) City of Corvallis - Rock Creek Transmission Main..... $ 10,500,000
(48) Lakeview - Water Treatment Facility ..... $ 15,000,000
(49) Panther Creek Water District - Regional Drinking Water Quality Improvements... $ 11,000,000

<u>SECTION 323.</u> In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $120,000,000, for distribution to the Portland Public Schools District for the relocation of the Harriet Tubman Middle School.

<u>SECTION 324.</u> In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $65,000,000, for distribution to Oregon Worker Relief for pandemic relief.

<u>SECTION 325.</u> In addition to and not in lieu of any other appropriation, there is appropriated

to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $500,000, for assessing gender-responsive practices in correctional settings.

SECTION 326. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 1, chapter 289, Oregon Laws 2021, for the biennium ending June 30, 2023, for the State School Fund, is decreased by $97,592,219.

SECTION 327. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 289, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Department of Education for the State School Fund, is increased by $60,982,219.

SECTION 328. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 289, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Department of Education from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Education for the State School Fund from the Fund for Student Success established under ORS 327.001, is increased by $36,610,000.

SECTION 329. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 1 (1), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations, is increased by $3,228,818 for establishing the Department of Early Learning and Care.

SECTION 330. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 1 (1), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations, is increased by $3,609,588 for establishing the Department of Early Learning and Care.

SECTION 331. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 2 (5), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, for distribution as grants-in-aid, for program costs and to purchase services, for other early learning programs, is increased by $2,000,000 for Relief Nurseries.

SECTION 332. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 2 (3), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, for distribution as grants-in-aid, for program costs and to purchase services, for other K-12 grant-in-aid programs, is increased by $237,389 for development of a Native Hawaiian/Pacific Islander student achievement plan.

SECTION 333. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 2 (3), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, for distribution as grants-in-aid, for program costs and to purchase services, for other K-12 grant-in-aid programs, is increased by $5,000,000 for grants through the African American/Black Student Success program.

SECTION 334. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $1,000,000, for distribution to Harmony Academy for program capacity, student transportation and development of a statewide plan for expansion.

SECTION 335. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (8), chapter 660, Oregon Laws 2021, for the biennium ending June 30, 2023, for public university statewide programs, is increased by $21,000,000, for distribution to Portland State University to fund $500 recruitment and retention payments to child care providers working in Oregon through the Oregon Center for Career Development in Childhood Care and Education.

SECTION 336. In addition to and not in lieu of any other appropriation, there is appropriated to the Judicial Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $2,334,200, for distribution to the Oregon State Bar Association for OregonLaw+Connect.

SECTION 337. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 225, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Oregon Liquor and Cannabis Commission, for issuance costs of bonds issued under Article XI-Q of the Oregon

Constitution for the purpose of acquiring land and construction of an agency warehouse distribution center and headquarters facilities, is increased by $792,217.

SECTION 338. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 226, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Oregon Liquor and Cannabis Commission, for costs of bond issuance and expenses associated with distribution center management information technology systems, is decreased by $30,000.

SECTION 339. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 227, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Oregon Liquor and Cannabis Commission, for issuance costs of bonds issued under Article XI-Q of the Oregon Constitution for an automated distribution center conveyor and order fulfillment system, is increased by $30,000.

SECTION 340. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 228, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Oregon Liquor and Cannabis Commission, for debt service, is decreased by $3,117,526.

SECTION 341. Notwithstanding any other provision of law, the General Fund appropriation made to the Bureau of Labor and Industries by section 1, chapter 558, Oregon Laws 2021, for the biennium ending June 30, 2023, is increased by $684,500 for addressing age discrimination in the workplace.

SECTION 342. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Transportation, for the biennium ending June 30, 2023, out of the General Fund, the amount of $7,000,000, for deposit into a subaccount of the Oregon Transportation Infrastructure Fund established under ORS 367.015, for the purpose of funding projects that reduce the number of wildlife-vehicle collisions and improve habitat connectivity for wildlife.

SECTION 343. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $22,000,000, for distribution to Seeding Justice for a child care capacity building grant program.

SECTION 344. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $7,897,000, for distribution to United We Heal Training for programs to support the expansion of child care services statewide.

SECTION 345. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $1,200,000, for distribution to Euvalcree to renovate the Euvalcree Center and to provide initial operating costs and support for new in-home child care providers.

SECTION 346. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $8,228,100, for distribution to NeighborImpact to fund new locations for and expansion of child care businesses in central Oregon.

SECTION 347. Notwithstanding any other provision of law, the General Fund appropriation made to the Office of the Governor by section 1, chapter 434, Oregon Laws 2021, for the biennium ending June 30, 2023, is increased by $365,928 to fund the statutorily required Corrections Ombudsman in the Office of the Governor.

SECTION 348. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 169 (1), chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation to the Department of Education and the proposed Department of Early Learning and Care for the establishment of a new agency, is decreased by $3,228,818.

SECTION 349. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (3), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for self-sufficiency programs, is increased by $4,000,000 for emergency food supply stabilization and 2-1-1 information services.

SECTION 350. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (5), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for child welfare programs, is increased by $250,000 to contract for technical assistance with development of culturally-responsive and evidence-based treatment foster care.

SECTION 351. Notwithstanding any other provision of law, the General Fund appropriation made to the Housing and Community Services Department by section 1, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, is increased by $50,000,000 to address cost increases impacting affordable housing developments that received funding awards from the Housing and Community Services Department.

SECTION 352. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $35,000,000 for deposit into the General Housing Account established by ORS 458.620, for small affordable rental housing project developments.

SECTION 353. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $20,000,000 for acquisition of manufactured housing park properties that are at risk of sale or closure.

SECTION 354. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $20,000,000 for development of affordable homes for purchase.

SECTION 355. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $15,000,000 for distribution to homeownership centers, community dispute resolution centers, non-profits and other organizations that serve low-income homeowners.

SECTION 356. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $500,000 for homelessness policy and coordination efforts.

SECTION 357. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $80,000,000 for homelessness response and prevention services delivered through agency programs and community partners.

SECTION 358. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Education, for the period beginning on the effective date of this 2022 Act and ending January 1, 2023, out of the General Fund, the amount of $99,714,661 for grants to school districts and education service districts for summer learning and enrichment programs for students in kindergarten through grade 12.

SECTION 359. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Education, for the period beginning on the effective date of this 2022 Act and ending January 1, 2023, out of the General Fund, the amount of $285,339 for the staffing and other administrative costs of administering the Summer Learning Program.

SECTION 360. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Education, for the period beginning on the effective date of this 2022 Act and ending January 1, 2023, out of the General Fund, the amount of $50,000,000 for a grant to the Oregon Association of Education Service Districts, through their named fiscal agent, for summer enrichment programs for students in kindergarten through grade 12.

SECTION 361. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 2 (5), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, for distribution as grants-in-aid, for program costs and to purchase services, for other early learning programs, is increased by $2,000,000 to improve wage parity for providers of the Healthy Families Oregon program.

SECTION 362. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 2 (5), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, for distribution as grants-in-aid, for program costs and to purchase services, for other early learning programs, is increased by $122,830 for the Healthy Families Oregon program.

SECTION 363. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section

267 (1), chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation to the Oregon Health Authority or Department of Human Services for caseload costs or other budget challenges that the agency is unable to mitigate, is increased by $45,000,000.

SECTION 364. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Health Authority, for the biennium ending June 30, 2023, out of the General Fund, the amount of $100,000,000 for increasing behavioral health housing.

SECTION 365. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for health systems, health policy and analytics, and public health, is increased by $1,500,000 for increasing provider rates for applied behavior analysis.

SECTION 366. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $2,900,000 for increasing provider rates for applied behavior analysis.

SECTION 367. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for health systems, health policy and analytics, and public health, is increased by $5,000,000 for the Healthy Homes Program.

SECTION 368. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Health Authority, for the biennium ending June 30, 2023, out of the General Fund, the amount of $15,000,000 for distribution to Seeding Justice for advancing reproductive health equity.

SECTION 369. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for health systems, health policy and analytics, and public health, is increased by $246,476 for costs associated with implementing chapter 30, Oregon Laws 2022 (Enrolled House Bill 4045).

SECTION 370. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 668, Oregon Laws 2021, collected or received by the Oregon Health Authority, for health systems, health policy and analytics, and public health, is increased by $89,898 for costs associated with implementing chapter 30, Oregon Laws 2022 (Enrolled House Bill 4045).

SECTION 371. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (6), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for aging and people with disabilities programs, is increased by $47,721,994 to increase provider rates for nursing facilities, home and community-based care, and in-home care agencies.

SECTION 372. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (6), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for aging and people with disabilities programs, is increased by $66,856,934 to increase provider rates for nursing facilities, home and community-based care and in-home care agencies.

SECTION 373. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (7), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for intellectual/developmental disabilities programs, is increased by $46,000 to increase the private duty nursing rate for in-home intensive care for children.

SECTION 374. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (7), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter 606, Oregon Laws 2021, collected or received by the Department of Human Services, for intellectual/developmental disabilities programs, is increased by $69,000 to increase the private duty nursing rate for in-home intensive care for children.

SECTION 375. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (5), chapter 606, Oregon Laws 2021, for the biennium ending June 30, 2023, for child welfare programs, is increased by $1,106,974, for family treatment courts.

SECTION 376. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Justice, for the Civil Enforcement Division, is increased by $384,668, for family treatment courts.

SECTION 377. Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 1 (2), chapter 557, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations, is increased by $762,623, for family treatment courts.

SECTION 378. Notwithstanding any other provision of law, the General Fund appropriation made to the Public Defense Services Commission by section 1 (7), chapter 444, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Juvenile Division, is increased by $195,833, for the Parent Child Representation Program and family treatment courts.

SECTION 379. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the following amounts for the following purposes:

(1)	Society of St. Vincent de Paul of Lane County for a not-for-profit manufactured housing production facility	$ 15,000,000
(2)	Oregon Community Foundation for converting buildings to shelter through the Project Turnkey program	$ 50,000,000
(3)	Hacienda Community Development Corporation for home lending products for underrepresented populations	$ 5,000,000
(4)	Multnomah County for shelter services and infrastructure, hygiene services and homeless outreach	$ 10,000,000
(5)	Washington County for shelter services and infrastructure, hygiene services and homeless outreach	$ 750,000
(6)	Clackamas County for shelter services and infrastructure, hygiene services and homeless outreach	$ 2,000,000
(7)	City of Hillsboro for shelter services and infrastructure, hygiene services and homeless outreach	$ 1,000,000
(8)	City of Beaverton for shelter services and infrastructure, hygiene services and homeless outreach	$ 750,000
(9)	City of Eugene for shelter services and infrastructure, hygiene services and homeless outreach	$ 5,000,000
(10)	City of Salem for shelter services and infrastructure, hygiene services and homeless outreach	$ 2,500,000
(11)	City of Bend for shelter services and infrastructure, hygiene services and homeless outreach	$ 1,500,000
(12)	City of Medford for shelter services and infrastructure, hygiene services and homeless outreach	$ 1,500,000
(13)	City of Eugene for trash and sanitation services	$ 750,000
(14)	City of Salem for trash and sanitation services	$ 750,000
(15)	City of Bend for trash and sanitation services	$ 400,000
(16)	City of Medford for trash and sanitation services	$ 350,000
(17)	City of Springfield for trash and sanitation services	$ 250,000
(18)	City of Corvallis for trash and sanitation services	$ 250,000
(19)	City of Albany for trash and sanitation services	$ 250,000

SECTION 380. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $100,000, for distribution to the Portland Council Navy League of the United States, USS Oregon (SSN 793) Commissioning Committee, to support celebration events related to the submarine's commissioning ceremony.

SECTION 381. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $85,661, for distribution to the City of Gates to offset revenue loss from the 2020 wildfires.

SECTION 382. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $69,722, for distribution to the City of Stayton Rural Fire

Protection District to offset revenue loss from the 2020 wildfires.

SECTION 383. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $2,534,000, for distribution to the City of Phoenix to support the construction of the Public Safety Center.

SECTION 384. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $375,000, for distribution to the Eugene Water and Electric Board for the Powder Activated Carbon Water Treatment Improvement Project.

SECTION 385. (1) In addition to and not in lieu of any appropriation, there is appropriated to the Emergency Board, for the biennium ending June 30, 2023, out of the General Fund, the amount of $42,500,000, to be allocated to the Oregon Health Authority for increasing behavioral health provider rates.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 386. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 10 (1), chapter 668, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation to the Oregon Health Authority for behavioral health system transformation and realignment activities, is decreased by $49,000,000.

SECTION 387. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 34 (1), chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation to state agencies for family treatment court programs, is decreased by $2,065,430.

SECTION 388. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Criminal Justice Commission by section 1, chapter 379, Oregon Laws 2021, for the biennium ending June 30, 2023, is increased by $300,000, for the Legal Services Pilot Program at the Coffee Creek Correctional Facility operated by the Oregon Justice Resource Center, established in section 1, chapter 46, Oregon Laws 2022 (Enrolled House Bill 4050).

SECTION 389. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (3), chapter 662, Oregon Laws 2021, for the biennium ending June 30, 2023, is decreased by $20,000,000, for matching funds for the Federal Emergency Management Agency's Hazard Mitigation Grant Program.

SECTION 390. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Emergency Management, for the biennium ending June 30, 2023, out of the General Fund, the amount of $20,000,000, for deposit into the Oregon Local Disaster Assistance Loan and Grant Account established in ORS 401.536, for matching funds for the Federal Emergency Management Agency's Hazard Mitigation Grant Program.

SECTION 391. Notwithstanding any other law limiting expenditures, the amount of $20,000,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in this section, collected or received by the Oregon Department of Emergency Management, for mitigation and recovery, to expend as matching funds for the Federal Emergency Management Agency's Hazard Mitigation Grant Program.

SECTION 392. In addition to and not in lieu of any other appropriation, there is appropriated to the Housing and Community Services Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $966,262, for a grant to Mid-Willamette Valley Community Action Agency for shelter funding.

SECTION 393. In addition to and not in lieu of any other appropriation, there is appropriated to the State Department of Energy, for the biennium ending June 30, 2023, out of the General Fund, the amount of $5,000,000, for deposit into the Rooftop Solar Incentive Fund established by section 3, chapter 655, Oregon Laws 2019.

SECTION 394. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 108, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the State Department of Energy for the solar rebate program from the Rooftop Solar Incentive Fund is increased by $5,000,000.

SECTION 395. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Environmental Quality,

for the biennium ending June 30, 2023, out of the General Fund, the amount of $15,000,000, for deposit into the Zero-Emission Incentive Fund established by ORS 468.449.

SECTION 396. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 673, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, the proceeds of bonds for the Orphan Site Account and federal funds from congestion mitigation and air quality grants, drinking water protection, laboratory accreditation and woodstove grants and for smoke monitoring laboratory services, but excluding lottery funds and federal funds not described in section 2, chapter 673, Oregon Laws 2021, collected or received by the Department of Environmental Quality, for air quality, is increased by $15,000,000 for the issuance of zero-emission and electric vehicle rebates.

SECTION 397. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Environmental Quality, for the biennium ending June 30, 2023, out of the General Fund, the amount of $15,000,000, for deposit into the Medium and Heavy-Duty Electrification Charging Fund established under section 4, chapter 74, Oregon Laws 2022 (Enrolled House Bill 4139), for a grant program supporting medium and heavy-duty zero-emission vehicle charging and fueling infrastructure projects.

SECTION 398. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 673, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, the proceeds of bonds for the Orphan Site Account and federal funds from congestion mitigation and air quality grants, drinking water protection, laboratory accreditation and woodstove grants and for smoke monitoring laboratory services, but excluding lottery funds and federal funds not described in section 2, chapter 673, Oregon Laws 2021, collected or received by the Department of Environmental Quality, for air quality, is increased by $15,000,000 for a grant program supporting medium and heavy-duty zero-emission vehicle charging and fueling infrastructure projects.

SECTION 399. Notwithstanding any other provision of law, the General Fund appropriation made to the State Department of Fish and Wildlife by section 1 (1), chapter 679, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Fish Division, is increased by $8,000,000 for fish passage barrier removal.

SECTION 400. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 3a (1), chapter 613, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation to the State Department of Fish and Wildlife for the purposes of the Oregon Conservation and Recreation Fund, is decreased by $1,000,000.

SECTION 401. In addition to and not in lieu of any other appropriation, there is appropriated to the State Department of Fish and Wildlife, for the biennium ending June 30, 2023, out of the General Fund, the amount of $5,000,000, for deposit into the Oregon Conservation and Recreation Fund established by ORS 496.252.

SECTION 402. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 679, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the Pacific Coastal Salmon Recovery Fund, but excluding lottery funds and federal funds not described in section 2, chapter 679, Oregon Laws 2021, collected or received by the State Department of Fish and Wildlife, for the Wildlife Division, is increased by $5,000,000 for the conservation and recreation program.

SECTION 403. Notwithstanding any other provision of law, the General Fund appropriation made to the State Department of Fish and Wildlife by section 1 (7), chapter 679, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Habitat Division, is increased by $2,600,000 for activities to improve drought resiliency.

SECTION 404. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Transportation, for the biennium ending June 30, 2023, out of the General Fund, the amount of $1,500,000 for road and bridge repair and replacement in Marion County.

SECTION 405. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium ending June 30, 2023, as the maximum limits for payment of expenses by the Department of Transportation from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Depart-

ment of Transportation, for the following purposes:

(1)	**Marion County Public Works for safety corridor improvements**	**$ 3,000,000**
(2)	**City of Canby for Walnut Street extension**	**$ 2,960,000**
(3)	**Crook County for Combs Flat Road extension**	**$ 9,400,000**
(4)	**City of Dufur for sidewalk renovation**	**$ 500,000**

SECTION 406. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1, chapter 383, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Oregon Racing Commission, is increased by $53,106 for the purpose of greyhound race reporting.

NOTE: Section 407 was deleted. Subsequent sections were not renumbered.

SECTION 408. Notwithstanding any other provision of law, the General Fund appropriation made to the Emergency Board by section 167 (1), chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, for allocation for the state's natural disaster prevention, preparedness, response and recovery activities, is decreased by $25,000,000.

SECTION 409. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (7), chapter 660, Oregon Laws 2021, for the biennium ending June 30, 2023, for Oregon Health and Science University education and other programs, is increased by $1,500,000 for developing a statewide behavioral health capacity dashboard tool.

SECTION 410. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6 (1), chapter 660, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds and funds described in sections 8 to 12, chapter 660, Oregon Laws 2021, collected or received by the Higher Education Coordinating Commission, for programs and related grants, is increased by $185,000 for costs of bonds issuance.

SECTION 411. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (8), chapter 660, Oregon Laws 2021, for the biennium ending June 30, 2023, for public university statewide programs, is increased by the following amounts for the following purposes:

(1) $10,142,845 for distribution to the University of Oregon to purchase scientific equipment for Building 2 of the Phil and Penny Knight Campus for Accelerating Scientific Impact.

(2) $16,500,000 for distribution to Western Oregon University to support the main steam line replacement project.

(3) $6,500,000 for distribution to Oregon State University for the Hatfield Housing project.

(4) $4,500,000 for distribution to the University of Oregon to support the Oregon Hazards Lab (OHAZ) Wildfire Camera Network.

(5) $350,000 for distribution to Oregon State University for the repair and maintenance of research vessel Pacific Storm.

SECTION 412. In addition to and not in lieu of any other appropriation, there is appropriated to the Higher Education Coordinating Commission, for the biennium ending June 30, 2023, out of the General Fund, the following amounts for distribution to the following entities for the following purposes:

(1)	**Southwestern Oregon Community College for a new fire training tower**	**$ 755,000**
(2)	**Linn-Benton Community College for the Takena Hall elevator**	**$ 577,500**
(3)	**Treasure Valley Community College for the Renewable Energy Apprenticeship and Pre-Apprenticeship Programs**	**$ 2,500,000**
(4)	**Oregon State University for the Innovation District Landfill Project**	**$ 10,000,000**
(5)	**Eastern Oregon University for Visual and Performing Arts Scholarship**	**$ 1,000,000**
(6)	**Oregon State University for the modernization of the Oregon Agricultural Research Center**	**$ 250,000**

SECTION 413. Notwithstanding any other law limiting expenditures, the amount of $4,000,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Higher Education Coordinating Commission from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Higher Education Coordinating Commission, for distribution to Eastern Oregon University for restoration of the Grand Staircase.

SECTION 414. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Business Development Department by section 192, chapter 669, Oregon Laws 2021, for the biennium ending June 30,

2023, for a municipal wildfire assistance program, is increased by $2,000,000.

SECTION 415. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $6,000,000, for deposit in the Eastern Oregon Border Economic Development Board Fund established under ORS 284.801.

SECTION 416. Notwithstanding any other law limiting expenditures, the amount of $6,000,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Business Development Department from the Eastern Oregon Border Economic Development Board Fund established under ORS 284.801, for distribution to the third-party administrator under ORS 284.783.

SECTION 417. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium ending June 30, 2023, as the maximum limits for payment of expenses by the Oregon Business Development Department from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Oregon Business Development Department, for infrastructure, for grants to the following entities for the following purposes:

(1)	City of Garibaldi - Wastewater Master Plan	$ 160,000
(2)	City of Garibaldi - Smart Water Meters	$ 201,128
(3)	Hyak Tongue Point, LLC - 1500 Metric Ton Mobile Lift Project	$ 7,000,000
(4)	City of Reedsport - Flood reduction resiliency project	$ 1,150,260
(5)	City of Waldport - Wastewater Treatment Plant Disinfection System Improvements	$ 1,400,000
(6)	City of Mill City Sewer Improvements	$ 2,500,000
(7)	City of Aumsville - Drinking Water System Improvements	$ 757,000
(8)	City of Lafayette Reservoir Project	$ 2,250,000
(9)	City of Falls City Wastewater Treatment Facility	$ 2,500,000
(10)	City of Merrill - Water Line Improvements	$ 275,000

SECTION 418. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium ending June 30, 2023, out of the General Fund, the amount of $1,500,000, for a grant to Historic Rivoli Theater Performing Arts Center Restoration Coalition for Rivoli Theater restoration.

SECTION 419. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Lands by section 1, chapter 545, Oregon Laws 2021, for the biennium ending June 30, 2023, for deposit into the Oregon Ocean Science Fund established under ORS 196.567, to be expended by the Oregon Ocean Science Trust, is increased by $1,000,000, for science and monitoring on nearshore keystone species including sea otters, nearshore marine ecosystems, kelp and eelgrass habitat and sequestration of blue carbon.

SECTION 420. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 188, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Department of State Lands for distribution of grants from the Oregon Ocean Science Fund established under ORS 196.567, is increased by $1,000,000, for science and monitoring on nearshore keystone species including sea otters, nearshore marine ecosystems, kelp and eelgrass habitat and sequestration of blue carbon.

SECTION 421. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter 425, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys, or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter 425, Oregon Laws 2021, collected or received by the Oregon Department of Administrative Services, for enterprise asset management, is increased by $195,000 for bond issuance costs associated with bonds issued under Article XI-Q of the Oregon Constitution.

SECTION 422. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from proceeds of lottery bonds, collected or received by the Oregon Department of Administrative Services, for the provision of grants to the following entities for the following purposes:

(1)	McKenzie River Discovery Center	$ 3,048,464
(2)	City of Portland Parks and Recreation for the North Portland Aquatic Center	$ 15,210,747
(3)	City of Milton-Freewater for the police and dispatch station	$ 3,048,464

SECTION 423. **In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the following amounts for distribution to the following entities for the following purposes:**

(1) Grande Ronde Hospital Foundation for the expansion of the Surgical Center and facilities ..... $ 5,000,000
(2) City of Ashland for the Briscoe School Rehabilitation ... $ 1,300,000
(3) Marion-Polk Food Share for the AWARE Food Bank ..... $ 2,407,500
(4) Farmworker Housing Development Corporation for the Cipriano Ferrell Education Center Renovation ..... $ 1,000,000
(5) Heart of Oregon Corps Centralized Campus ..... $ 2,000,000
(6) Eugene Civic Alliance Civic Park ..... $ 6,000,000
(7) Lane County Fairgrounds Multi-Use Facility ..... $ 7,500,000
(8) Central Oregon Intergovernmental Council for the CORE3 (Central OR Ready, Responsive, Resilient) program ..... $ 9,500,000
(9) Columbia Gorge Children's Advocacy Center (DBA SafeSpace) for the Child Abuse Assessment Center ..... $ 2,000,000
(10) City of Corvallis for Martin Luther King, Jr. (MLK) Park enhancements ..... $ 4,000,000
(11) Prairie City School District #4 for the Bates Building renovation ..... $ 430,000
(12) Prairie City Senior Citizens for building renovation ..... $ 113,870
(13) Kids Club of Harney County to support phase 2 of the Geno's Youth Center ..... $ 1,340,213
(14) Oregon Food Bank for the statewide warehouse ..... $ 5,000,000
(15) City of Wilsonville for the Transit Center ..... $ 1,926,000
(16) Grant County Senior Citizens Association for the Senior Center flooring and air purification system ..... $ 36,129
(17) City of Independence to support the 9th Street Lift Station upgrade ..... $ 2,000,000
(18) Benton County Crisis Center .... $ 5,450,002
(19) Peace Village to support SquareOne Villages ..... $ 3,300,000
(20) MountainStar Family Relief Nursery to support the La Pine Satellite Location ..... $ 165,000
(21) Lane County for Emergency Response Functionality ..... $ 5,000,000
(22) Health Care Hub of South Deschutes County for the La Pine Community Health Center ..... $ 3,000,000
(23) Cultivate Initiatives for the Resource Hub and Navigation Center ..... $ 2,950,000
(24) City of Salem to support Navigation Center ..... $ 1,900,000
(25) The Canby Center to support Thriving Together capital improvements ..... $ 1,125,000
(26) City of Monmouth to support the skate park replacement and recreation park improvements ..... $ 525,000
(27) Wheeler County to support the Glover Hall renovation ..... $ 405,000
(28) Community Counseling Solutions to support the Northeast Oregon Regional Acute Care Center ..... $ 4,590,000
(29) Newberg School District to support the Old Renne Park improvement ..... $ 750,000
(30) Harney County Cultural Center for County Fairgrounds ..... $ 1,360,000
(31) City of John Day to fund the Grant Union High School roof and the Humbolt Elementary HVAC projects ..... $ 2,250,000
(32) Oasis Village to support transitional housing in Redmond ..... $ 350,000
(33) City of Aurora Fire Station ..... $ 3,800,000
(34) Salem Housing Authority to support Yaquina Hall ..... $ 1,500,000
(35) Wallowa History Center to support the restoration of the Bear-Sleds Ranger District Compound ..... $ 500,000

SECTION 424. **Notwithstanding any other law limiting expenditures, the amount $2,000,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Department of Administrative Services from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services, for the purpose of transfer to the Special Districts Association of Oregon Grant Program.**

SECTION 425. **In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the following amounts for distribution to the following entities for the following purposes:**

(1) Ella Curran Food Bank for food bank expansion ..... $ 1,000,000
(2) Benevolent and Protective Order of Elks Independence, Lodge No. 1950, for veterans' outreach ..... $ 80,000
(3) Devils Lake Water Improvement District for invasive aquatic vegetation management ..... $ 310,000
(4) Lincoln City Parks and

Recreation for the Regional Sport and Recreation Complex..... $ 1,000,000
(5) Port of Bandon for High Dock Administrative Offices..... $ 576,000
(6) Port of Newport for seawall repair..... $ 1,140,000
(7) Synapse Fitness Foundation for Executive Director position costs and training for one year..... $ 70,000
(8) City of Lebanon for the Park Accessibility Project..... $ 2,600,000
(9) Colton Rural Fire District for replacement of a water tender chassis..... $ 75,000
(10) City of Aumsville for the new Public Works Facility..... $ 900,000
(11) Strategic Economic Development Corporation of the Mid-Willamette Valley for Newberg Workforce Housing..... $ 3,000,000
(12) City of Roseburg for the Southern Oregon Medical Workforce Center..... $ 5,000,000
(13) City of Medford for the Rogue Credit Union Community Complex..... $ 3,000,000
(14) Crook County Fair for fairgrounds infrastructure..... $ 2,000,000
(15) Malheur County Fair for fairgrounds infrastructure..... $ 2,000,000
(16) Harney County Fair for fairgrounds infrastructure..... $ 2,000,000
(17) Grant County Fair for fairgrounds infrastructure..... $ 2,000,000
(18) Baker County Fair for fairgrounds infrastructure..... $ 2,000,000
(19) Lake County Fair for fairgrounds infrastructure..... $ 2,000,000
(20) South Wasco County School District #1 for the renovation of the South Wasco County High School track facilities ..... $ 900,000
(21) Mid-Columbia Community Action Council for the Navigation Center..... $ 1,500,000
(22) Union County Fair for fairgrounds infrastructure..... $ 1,000,000
(23) Umatilla County Fair for fairgrounds infrastructure..... $ 1,000,000
(24) Wheeler County Fair for fairgrounds infrastructure..... $ 1,000,000
(25) Wallowa County Fair for fairgrounds infrastructure..... $ 1,000,000
(26) Morrow County Fair for fairgrounds infrastructure..... $ 1,000,000
(27) Sherman County Fair for fairgrounds infrastructure..... $ 1,000,000
(28) Wasco County Fair for fairgrounds infrastructure..... $ 1,000,000
(29) Gilliam County Fair for fairgrounds infrastructure..... $ 1,000,000
(30) Hermiston School District for the Columbia Basin Apprenticeship Training Center..... $ 1,500,000
(31) Ukiah School District for teacher housing..... $ 500,000
(32) Umatilla County for the Umatilla County Road Digitized Pilot Project..... $ 250,000
(33) City of Heppner for the Community Development Fund. $ 500,000
(34) City of Antelope for the Community Development Fund. $ 166,666
(35) City of Spray for the Community Development Fund. $ 166,666
(36) City of Mitchell for the Community Development Fund. $ 166,666
(37) City of Fossil for the Community Development Fund. $ 166,666
(38) City of Grass Valley for the Community Development Fund. $ 166,666
(39) City of Rufus for the Community Development Fund. $ 166,666
(40) City of Maupin for the Community Development Fund. $ 166,666
(41) City of Moro for the Community Development Fund. $ 166,666
(42) City of Wasco for the Community Development Fund. $ 166,666
(43) City of Tygh Valley for the Community Development Fund. $ 166,666
(44) City of Condon for the Community Development Fund. $ 166,666
(45) City of Arlington for the Community Development Fund. $ 166,666

SECTION 426. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4, chapter 660, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from lottery moneys allocated from the Education Stability Fund to the Higher Education Coordinating Commission by section 4, chapter 660, Oregon Laws 2021, for Oregon Opportunity Grants, is increased by $17,546,266 to account for additional Lottery Funds revenues for the program.

SECTION 427. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (4), chapter 660, Oregon Laws 2021, for the biennium ending June 30, 2023, for Oregon Opportunity Grants, is decreased by $17,546,266 to account for additional Lottery Funds revenues for the program.

SECTION 428. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 95, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Department of Corrections from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services and transferred to the Department of Corrections, for the purpose of expenditures and activities to respond to the COVID-19 public health emergency, is increased by $363,582.

SECTION 429. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (1), chapter 468, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations and health services, is decreased by $363,582.

SECTION 430. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 76, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Department of Administrative Services from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund moneys received by the Oregon Department of Administrative Services, for expenditures and activities to respond to the COVID-19 public health emergency and its economic impacts, is increased by $309,332,010.

SECTION 431. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 75, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Department of Administrative Services from American Rescue Plan Act Capital Projects Fund moneys received by the Oregon Department of Administrative Services for the purpose of transfer to the Oregon Business Development Department for deposit in the Broadband Fund established by section 4, chapter 17, Oregon Laws 2020 (first special session), is increased by $36,795,418.

SECTION 432. Notwithstanding any other provision of law, the General Fund appropriation made to the Legislative Administration Committee by section 1 (1), chapter 559, Oregon Laws 2021, for the biennium ending June 30, 2023, for general program, is decreased by $9,500,000.

SECTION 433. Notwithstanding any other provision of law, the General Fund appropriation made to the Legislative Administration Committee by section 1 (2), chapter 559, Oregon Laws 2021, for the biennium ending June 30, 2023, for debt service, is decreased by $294,479.

SECTION 434. Notwithstanding any other provision of law, the General Fund appropriation made to the Legislative Assembly by section 6, chapter 559, Oregon Laws 2021, for the biennium ending June 30, 2023, for biennial offices, is decreased by $2,851,096.

SECTION 435. Notwithstanding any other provision of law, the General Fund appropriation made to the Legislative Assembly by section 7 (1), chapter 559, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Eighty-first Legislative Assembly, is decreased by $236,004.

SECTION 436. Notwithstanding any other provision of law, the General Fund appropriation made to the Legislative Assembly by section 7 (2), chapter 559, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Eighty-second Legislative Assembly, is decreased by $3,162,124.

SECTION 437. Notwithstanding any other provision of law, the General Fund appropriation made to the Legislative Assembly by section 8, chapter 559, Oregon Laws 2021, for the biennium ending June 30, 2023, for the Legislative Equity Office, is decreased by $483,717.

SECTION 438. Notwithstanding any other provision of law, the General Fund appropriation made to the Legislative Counsel Committee by section 11, chapter 559, Oregon Laws 2021, for the biennium ending June 30, 2023, is decreased by $1,750,000.

SECTION 439. Notwithstanding any other provision of law, the General Fund appropriation made to the Legislative Fiscal Officer by section 14 (1), chapter 559, Oregon Laws 2021, for the biennium ending June 30, 2023, is decreased by $2,871,447.

SECTION 440. Notwithstanding any other provision of law, the General Fund appropriation made to the Legislative Policy and Research Committee by section 15, chapter 559, Oregon Laws 2021, for the biennium ending June 30, 2023, is decreased by $1,527,845.

SECTION 441. Notwithstanding any other provision of law, the General Fund appropriation made to the Legislative Revenue Officer by section 16, chapter 559, Oregon Laws 2021, for the biennium ending June 30, 2023, is decreased by $245,265.

SECTION 442. Notwithstanding any other provision of law, the General Fund appropriation made to the Commission on Indian Services by section 17, chapter 559, Oregon Laws 2021, for the biennium ending June 30, 2023, is decreased by $256,973.

SECTION 443. Notwithstanding any other law limiting expenditures, the amount of $235,000 is established for the biennium ending June 30, 2023, 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 Legislative Administration Committee, for general obligation bond issuance costs.

SECTION 444. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Land Conservation and Development by section 1 (1), chapter 438, Oregon Laws 2021, for the biennium ending June 30, 2023, for the planning program, is increased by $150,000 to support work on regional housing needs and land supply issues.

SECTION 445. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $10,000,000, for deposit into the Capital Projects Fund established under ORS 276.005, for state facilities security and capital improvements.

SECTION 446. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the following amounts for distribution to the following entities for the following purposes:

(1)	**Lane County for the East Gateway construction**	**$ 150,000**
(2)	**Lane County for Phase 1 construction of the South Lane Health Clinic**	**$ 250,000**
(3)	**City of Oakridge for renovation of the Willamette Activity Center**	**$ 1,500,000**
(4)	**City of Florence for the Emergency Fuel Station project**	**$ 250,000**
(5)	**Lane County for the Goodpasture Covered Bridge Rehabilitation project**	**$ 3,600,000**

SECTION 447. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium ending June 30, 2023, out of the General Fund, the amount of $10,000,000, to be allocated for establishing a grant program, loan program or lending program for the purpose of providing financial assistance to employers to mitigate the costs associated with compliance with the overtime compensation requirements under section 2, chapter 115, Oregon Laws 2022 (Enrolled House Bill 4002).

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 448. Notwithstanding any other provision of law, the General Fund appropriation made to the Bureau of Labor and Industries by section 1, chapter 558, Oregon Laws 2021, for the biennium ending June 30, 2023, is increased by $509,117 for enforcement of wage and hour laws required under chapter 115, Oregon Laws 2022 (Enrolled House Bill 4002).

SECTION 449. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Revenue, for the biennium ending June 30, 2023, out of the General Fund, the amount of $400,000, for core systems replacement, for the Electronic Valuation Information System (ELVIS) technology project.

NOTE: Section 450 was deleted. Subsequent sections were not renumbered.

SECTION 451. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of $10,000,000, for distribution to the metropolitan service district established under ORS chapter 268, for trash and sanitation services.

SECTION 452. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 81, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Oregon Department of Administrative Services from Coronavirus Aid, Relief, and Economic Security Act Coronavirus Relief Fund moneys received by the Oregon Department of Administrative Services, for expenditures and activities to respond to the COVID-19 public health emergency and its economic impacts is increased by $82,495,564.

SECTION 453. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses for operations, from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds from the United States Department of Housing and Urban Development for contract services, but excluding lottery funds and federal funds not described in section 2, chapter 556, Oregon Laws 2021, collected or received by the Housing and Community Services Department, is increased by $35,000,000 to address cost increases impacting affordable housing developments that received funding awards from the Housing and Community Services Department.

SECTION 454. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 556, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses for operations, from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds from the United States Department of Housing and Urban Development

for contract services, but excluding lottery funds and federal funds not described in section 2, chapter 556, Oregon Laws 2021, collected or received by the Housing and Community Services Department, is increased by $17,500,000 for small affordable rental housing project developments.

SECTION 455. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium ending June 30, 2023, out of the General Fund, the amount of $19,000,000, to be allocated to the Higher Education Coordinating Commission for an Oregon Tribal Student Grant program.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2022, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 456. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Aviation, for the biennium ending June 30, 2023, out of the General Fund, the amount of $2,598,406, for the Cape Blanco State Airport runway and electrical rehabilitation.

SECTION 457. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Aviation, for the biennium ending June 30, 2023, out of the General Fund, the amount of $540,388, for distribution to the City of Salem, for the Salem Municipal Airport upgrade.

SECTION 458. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Aviation, for the biennium ending June 30, 2023, out of the General Fund, the amount of $750,000, for distribution to Josephine County, for a Jet A and Avgas aircraft fueling system at the Illinois Valley Airport.

SECTION 459. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 126, chapter 669, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in section 126, chapter 669, Oregon Laws 2021, collected or received by the Department of Revenue, for core systems replacement, for the purposes of implementing the Electronic Valuation Information System (ELVIS), is decreased by $435,000.

SECTION 460. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (2), chapter 503, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Consumer and Business Services, for the Workers' Compensation Division, is decreased by $58,428.

SECTION 461. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (5), chapter 503, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Consumer and Business Services, for the Central Services Division, is increased by $175,320.

SECTION 462. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (6), chapter 503, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Consumer and Business Services, for the Division of Financial Regulation, is increased by $312,264.

SECTION 463. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (7), chapter 503, Oregon Laws 2021, for the biennium ending June 30, 2023, 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 Department of Consumer and Business Services, for the Building Codes Division, is decreased by $36,624.

SECTION 464. Notwithstanding any other law limiting expenditures, the amount of $7,000,000 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses by the Department of Transportation from a subaccount of the Oregon Transportation Infrastructure Fund established under ORS 367.015, for the purpose of funding projects that reduce the number of wildlife-vehicle collisions and improve habitat connectivity for wildlife.

SECTION 465. Notwithstanding any other provision of law, the authorized appropriations for the biennium ending June 30, 2023, for the following agencies and programs are changed by

the specified amounts to reflect unexpended General Fund balances, pursuant to ORS 293.195:

(1) LEGISLATIVE BRANCH.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Legislative Administration Committee:		
General Program		
General Fund	Ch. 559 1(1)	+10,577,899
Debt service		
General Fund	Ch. 559 1(2)	+167,392
General Fund	Ch. 559 1(2)	+127,087
Legislative Assembly:		
Biennial General Fund		
General Fund	Ch. 559 6	+2,851,096
81st Legislative Assembly		
General Fund	Ch. 559 7(1)	+236,004
82nd Legislative Assembly		
General Fund	Ch. 559 7(2)	+3,162,124
Legislative Equity Office		
General Fund	Ch. 559 8	+483,717
Legislative Counsel Committee:		
Operating Expenses		
General Fund	Ch. 559 11	+1,903,036
Legislative Fiscal Officer:		
Operating Expenses		
General Fund	Ch. 559 14(1)	+2,871,447
Legislative Policy and Research Committee:		
Operating Expenses		
General Fund	Ch. 559 15	+1,527,845
Legislative Revenue Officer:		
Operating Expenses		
General Fund	Ch. 559 16	+245,265
Commission on Indian Services:		
Operating Expenses		
General Fund	Ch. 559 17	+256,973

(2) JUDICIAL BRANCH.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Commission on Judicial Fitness and Disability:		
Administration		
General Fund	Ch. 167 1(1)	+12,001
Extraordinary expenses		
General Fund	Ch. 167 1(2)	+9,616
Judicial Department:		
Judicial Compensation		
General Fund	Ch. 557 1(1)	+1,915,668
Operations		
General Fund	Ch. 557 1(2)	+756,039
Mandated Payments		
General Fund	Ch. 557 1(3)	+1,484,640
State Court technology systems		
General Fund	Ch. 557 1(4)	+145,212
Debt service		
General Fund	Ch. 557 1(5)	+10,249
Council on Court Procedures		
General Fund	Ch. 557 5	+51,710
Public Defense Services Commission:		
Appellate Division		
General Fund	Ch. 444 1(3)	+135,221
Trial Criminal Division		
General Fund	Ch. 444 1(4)	+1,697
Administrative Services Division		
General Fund	Ch. 444 1(8)	+132,450

SECTION 466. **Notwithstanding any other provision of law, the authorized appropriations and expenditure limitations for the biennium ending June 30, 2023, for the following agencies and programs are changed by the amounts specified:**

(1) ADMINISTRATION.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Oregon Department of Administrative Services:		
Debt service		
General Fund	Ch. 425 1(6)	-62,858
Other funds	Ch. 425 2(12)	+486,025
Lottery funds	Ch. 425 3	-423,153
Department of Revenue:		
Debt service		
General Fund	Ch. 441 1(7)	-71,491

(2) ECONOMIC DEVELOPMENT.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Oregon Business Development Department:		
Debt service		
General Fund	Ch. 560 1(3)	-8,955
Lottery funds	Ch. 560 3(4)	-3,403,866
Other funds	Ch. 669 212	+3,412,834

(3) EDUCATION.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Department of Education:		
Debt service		
General Fund	**Ch. 603 4**	**-233,678**
Other funds	**Ch. 669 36**	**+233,685**
Higher Education Coordinating Commission:		
Public university debt service		
General Fund	**Ch. 660 1(10)(a)**	**-1,030,391**
Other funds	**Ch. 660 6(2)**	**+695,171**
Community college debt service		
Other funds	**Ch. 660 6(3)**	**+1,030,420**

(4) HUMAN SERVICES.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Department of Human Services:		
Debt service		
General Fund	**Ch. 606 1(8)**	**-900,000**
Other funds	**Ch. 606 2(9)**	**+944,250**

(5) JUDICIAL BRANCH.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Judicial Department:		
Debt service		
General Fund	**Ch. 557 1(5)**	**-273,641**

(6) NATURAL RESOURCES.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
State Forestry Department:		
Debt service		
General Fund	**Ch. 605 1(5)**	**-656**
Other funds	**Ch. 605 2(7)**	**+660**

(7) PUBLIC SAFETY.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Department of Corrections:		
Debt service		
General Fund	**Ch. 468 1(5)**	**-105,000**
Other funds	**Ch. 669 5**	**+105,000**
Department of Justice:		
Debt service		
General Fund	**Ch. 427 1(7)**	**-52,175**

(8) TRANSPORTATION.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Department of Transportation:		
Debt service		
General Fund	**Ch. 442 1(1)**	**-180**
Other funds	**Ch. 442 2(18)**	**+799,991**
Lottery funds	**Ch. 442 4**	**-799,809**

SECTION 467. Notwithstanding any other provision of law, the authorized appropriations and expenditure limitations for the biennium ending June 30, 2023, for the following agencies and programs are changed by the amounts specified:

(1) ADMINISTRATION.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Oregon Advocacy Commissions Office:		
Operating Expenses		
General Fund	**Ch. 345 1**	**+49,573**
Oregon Department of Administrative Services:		
Chief Operating Office		
General Fund	**Ch. 425 1(1)**	**+107,351**
Other funds	**Ch. 425 2(1)**	**+246,124**
Chief Financial Office		
Other funds	**Ch. 425 2(2)**	**+492,272**
Office of the State Chief Information Officer - Policy		
Other funds	**Ch. 425 2(3)**	**+1,846,720**
Chief Human Resources Office		
Other funds	**Ch. 425 2(4)**	**+859,460**
OSCIO - State Data Center - Operations		
Other funds	**Ch. 425**	

	2(5)(a)	+1,666,387
Enterprise Asset Management		
Other funds	**Ch. 425 2(6)**	**+1,474,963**
Enterprise Goods and Services		
Other funds	**Ch. 425 2(7)**	**+2,353,962**
Business Services		
Other funds	**Ch. 425 2(8)**	**+91,335**
ODAS Information Technology		
Other funds	**Ch. 425 2(14)**	**+360,604**
Operating Expenses		
Federal funds	**Ch. 425 5**	**+105,897**
State Treasury:		
Administrative Services		
Other funds	**Ch. 443 1(1)**	**+911,554**
Trust Property Services		
Other funds	**Ch. 443 1(2)**	**+215,255**
Investment Services		
Other funds	**Ch. 443 1(3)**	**+1,506,644**
Public Savings Services		
Other funds	**Ch. 443 1(4)**	**+109,445**
State and Local Government Financial Services		
Other funds	**Ch. 443 1(5)**	**+355,487**
Oregon Racing Commission:		
Operating Expenses		
Other funds	**Ch. 383 1**	**+119,090**
Public Employees Retirement System:		
Central Administration Division		
Other funds	**Ch. 145 1(1)**	**+450,112**
Financial and Administrative Services Division		
Other funds	**Ch. 145 1(2)**	**+437,471**
Information Services Division		
Other funds	**Ch. 145 1(3)**	**+765,286**
Operations Division		
Other funds	**Ch. 145 1(4)**	**+1,339,117**
Compliance, Audit and Risk Division		
Other funds	**Ch. 145 1(5)**	**+225,510**
Core Retirement System, Implementation of chapter 355, Oregon Laws 2019, Operational implementation		
Other funds	**Ch. 145 1(6)(a)(D)**	**+352,415**
Secretary of State:		
Administrative Services Division		
General Fund	**Ch. 505 1(1)**	**+115,333**
Other funds	**Ch. 505 2(1)**	**+618,065**
Elections Division		
General Fund	**Ch. 505 1(2)**	**+242,507**
Federal funds	**Ch. 505 3**	**+52,776**
Archives Division		
Other funds	**Ch. 505 2(4)**	**+248,084**
Audits Division		
Other funds	**Ch. 505 2(3)**	**+986,334**
Corporation Division		
Other funds	**Ch. 505 2(5)**	**+372,697**
Oregon Liquor and Cannabis Commission:		
Administrative Expenses		
Other funds	**Ch. 640 1(1)**	**+2,449,889**
Marijuana Regulation - Recreational		
Other funds	**Ch. 640 1(2)**	**+754,562**
Marijuana Regulation - Medical		
Other funds	**Ch. 640 1(3)**	**+188,366**
Department of Revenue:		
Administration		
General Fund	**Ch. 441 1(1)**	**+578,436**
Other funds	**Ch. 441 2(1)**	**+65,017**
Property Tax Division		
General Fund	**Ch. 441 1(2)**	**+644,687**
Other funds	**Ch. 441 2(2)**	**+161,373**
Personal Tax and Compliance Division		
General Fund	**Ch. 441 1(3)**	**+2,504,784**
Other funds	**Ch. 441 2(3)**	**+48,156**
Business Division		
General Fund	**Ch. 441 1(4)**	**+630,069**
Other funds	**Ch. 441 2(4)**	**+458,774**
Information Technology Services Division		
General Fund	**Ch. 441 1(6)**	**+1,243,441**
Other funds	**Ch. 441 2(7)**	**+234,213**
Core System Replacement		
Other funds	**Ch. 669 126**	**+25,613**
Collections Division		
General Fund	**Ch. 441 1(5)**	**+669,785**
Other funds	**Ch. 441 2(5)**	**+620,070**
Marijuana Program		
Other funds	**Ch. 441 2(8)**	**+122,486**
Corporate Division		
Other funds	**Ch. 441 2(6)**	**+744,360**
Senior Property Tax Deferral Program		
Other funds	**Ch. 441 2(9)**	**+60,696**
Employment Relations Board:		
Operating Expenses		
General Fund	**Ch. 166 1**	**+92,159**
Operating Expenses (fees)		
Other funds	**Ch. 166 2**	**+6,584**
Assessments of Agencies		
Other funds	**Ch. 166 3**	**+65,828**
Office of the Governor:		
Operating Expenses		
General Fund	**Ch. 434 1**	**+697,911**
Other funds	**Ch. 434 4**	**+136,952**
Regional Solutions Program		
Lottery funds	**Ch. 434 3**	**+108,408**
Oregon Government Ethics Commission:		
Operating Expenses		
Other funds	**Ch. 288 1**	**+81,326**
State Library:		
Operating Expenses		
General Fund	**Ch. 308 1**	**+75,132**
Federal funds	**Ch. 308 4**	**+53,355**
Operating Expenses - Non-Assessments		
Other funds	**Ch. 308 2**	**+4,092**
Operating Expenses - Assessments		
Other funds	**Ch. 308 3**	**+175,270**

(2) CONSUMER AND BUSINESS SERVICES.

	2021 Oregon Laws

Agency/Program/Funds	Chapter/ Section	$ Adjustment
Oregon Board of Accountancy:		
Operating Expenses		
Other funds	**Ch. 377 1**	**+80,432**
State Board of Tax Practitioners:		
Operating Expenses		
Other funds	**Ch. 348 1**	**+12,753**
Construction Contractors Board:		
Operating Expenses		
Other funds	**Ch. 347 1**	**+479,464**
Mental Health Regulatory Agency		
Oregon Board of Licensed Professional Counselors and Therapists:		
Other funds	**Ch. 437 1**	**+93,161**
Oregon Board of Psychology:		
Other funds	**Ch. 437 2**	**+40,990**
State Board of Chiropractic Examiners:		
Operating Expenses		
Other funds	**Ch. 346 1**	**+27,044**
State Board of Licensed Social Workers:		
Operating Expenses		
Other funds	**Ch. 440 1**	**+59,353**
Oregon Board of Dentistry:		
Operating Expenses		
Other funds	**Ch. 287 1**	**+90,535**
Health-Related Licensing Boards:		
State Mortuary and Cemetery Board		
Other funds	**Ch. 504 1**	**+82,664**
Oregon Board of Naturopathic Medicine		
Other funds	**Ch. 504 2**	**+18,435**
Occupational Therapy Licensing Board		
Other funds	**Ch. 504 3**	**+10,610**
Board of Medical Imaging		
Other funds	**Ch. 504 4**	**+27,117**
State Board of Examiners for Speech-Language Pathology and Audiology		
Other funds	**Ch. 504 5**	**+26,356**
Oregon State Veterinary Medical Examining Board		
Other funds	**Ch. 504 6**	**+41,463**
Bureau of Labor and Industries:		
Operating Expenses		
General Fund	**Ch. 558 1**	**+749,104**
Other funds	**Ch. 558 2**	**+260,470**
Federal funds	**Ch. 558 4**	**+75,383**
Lottery funds	**Ch. 558 5**	**+9,393**
Wage Security Fund Administration		
Other funds	**Ch. 558 3(1)**	**+117,023**
Public Utility Commission:		
Utility Program		
Other funds	**Ch. 382 1(1)**	**+1,053,991**
Residential Service Protection Fund		
Other funds	**Ch. 382 1(2)**	**+40,695**
Administration		
Other funds	**Ch. 382 1(3)**	**+328,616**
Operating Expenses		
Federal funds	**Ch. 382 2**	**+38,659**
Oregon Board of Maritime Pilots		
Other funds	**Ch. 382 1(4)**	**+14,000**
Department of Consumer and Business Services:		
Workers' Compensation Board		
Other funds	**Ch. 503 1(1)**	**+787,156**
Workers' Compensation Division		
Other funds	**Ch. 503 1(2)**	**+1,515,400**
Oregon OSHA		
Other funds	**Ch. 503 1(3)**	**+1,401,245**
Federal funds	**Ch. 503 2(1)**	**+525,306**
Central Services Division		
Other funds	**Ch. 503 1(5)**	**+1,580,620**
Federal funds	**Ch. 503 2(3)**	**+7,325**
Division of Financial Regulation		
Other funds	**Ch. 503 1(6)**	**+1,775,953**
Building Codes Division		
General Fund	**Ch. 669 263**	**+15,444**
Other funds	**Ch. 503 1(7)**	**+1,192,946**
Health Insurance Marketplace		
Other funds	**Ch. 503 1(4)**	**-92,221**
Federal funds	**Ch. 503 2(2)**	**-31,836**
Prescription Drug Affordability Board		
General Fund	**Ch. 598 10**	**+77,468**
Real Estate Agency:		
Operating Expenses		
Other funds	**Ch. 311 1**	**+221,861**
Oregon State Board of Nursing:		
Operating Expenses		
Other funds	**Ch. 310 1**	**+494,501**
Oregon Medical Board:		
Operating Expenses		
Other funds	**Ch. 309 1**	**+394,482**
State Board of Pharmacy:		
Operating Expenses		
Other funds	**Ch. 168 1**	**+227,644**

(3) ECONOMIC DEVELOPMENT.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Oregon Business Development Department:		
Oregon Arts Commission		
General Fund	**Ch. 560 1(1)**	**+23,360**
Business, Innovation and Trade		
General Fund	**Ch. 560 1(2)**	**+12,447**
Other funds	**Ch. 560 2(1)**	**+291,966**
Lottery funds	**Ch. 560 3(1)**	**+308,109**
Federal funds	**Ch. 560 4(1)**	**+15,196**
Infrastructure		

General Fund	Ch. 560 1(4)	+23,966
Other funds	Ch. 560 2(2)	+207,141
Lottery funds	Ch. 560 3(5)	+97,627
Federal funds	Ch. 560 4(2)	+36,298
Operations		
Other funds	Ch. 560 2(3)	+112,827
Lottery funds	Ch. 560 3(2)	+361,926
Federal funds	Ch. 560 4(3)	+5,673
Arts and Cultural Trust		
Other funds	Ch. 560 2(4)	+65,062
Housing and Community Services Department:		
Operating Expenses		
General Fund	Ch. 556 1	+388,602
Other funds	Ch. 556 2	+2,274,433
Federal funds	Ch. 556 4	+715,284
Department of Veterans' Affairs:		
Services Provided by the Department		
General Fund	Ch. 471 1(1)	+213,208
Lottery funds	Ch. 471 2(1)	+235,016
Federal funds	Ch. 471 4	+10,750
Veteran Loans, Oregon Veterans' Homes		
Other funds	Ch. 471 3(1)	+433,605
Employment Department:		
Family and Medical Leave Insurance Program		
General Fund	Ch. 426 1(2)	+837,180
Other funds	Ch. 426 2(3)	+232,626
Shared Services		
General Fund	Ch. 426 1(1)	+721,757
Modernization Initiative		
General Fund	Ch. 426 1(3)	+103,110
Unemployment Insurance, Shared Services and Workforce Operations, and Workforce and Economic Research		
Other funds	Ch. 426 2(1)	+4,412,905
Office of Administrative Hearings		
Other funds	Ch. 426 2(2)	+1,041,705
Modernization Initiative		
Other funds	Ch. 426 2(4)	+820,710
Operating Budget		
Federal funds	Ch. 426 5	+11,906,326

(4) EDUCATION.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Teacher Standards and Practices Commission:		
Operating Expenses		
Other funds	Ch. 641 1	+255,152
Nontraditional Pathway to Licensure Programs		
General Fund	Ch. 518 20	+30,797
Performance Based Measures		
General Fund	Ch. 637 4	+24,901
Department of Education:		
Operations		
General Fund	Ch. 603 1(1)	+2,474,849
Other funds	Ch. 603 5(2)	+635,268
Federal funds	Ch. 603 7(1)	+2,416,857
Oregon School for the Deaf		
General Fund	Ch. 603 1(2)	+449,104
Other funds	Ch. 603 5(3)	+87,650
Federal funds	Ch. 603 7(2)	+3,253
Early Learning Account - Operations		
Other funds	Ch. 603 11	+118,768
Statewide Education Initiatives Account - Operations		
Other funds	Ch. 603 13	+1,023,933
Higher Education Coordinating Commission:		
HECC programs and grants		
General Fund	Ch. 660 1(1)	+671,719
Other funds	Ch. 660 6(1)	+397,495
Federal funds	Ch. 660 7	+419,411

(5) HUMAN SERVICES.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Long Term Care Ombudsman:		
General Program and Services Provided to Care Facility Residents		
General Fund	Ch. 469 1(1)	+188,669
Public Guardian and Conservator Program		
General Fund	Ch. 469 1(2)	+156,117
Operating Expenses		
Other funds	Ch. 469 2	+13,522
Commission for the Blind:		
Operating Expenses		
General Fund	Ch. 378 1	+129,720
Other funds	Ch. 378 2	+3,717
Federal funds	Ch. 378 3	+382,173
Psychiatric Security Review Board:		
Operating Expenses		
General Fund	Ch. 380 1	+148,318
Department of Human Services:		
Central Services		
General Fund	Ch. 606 1(1)	+2,223,777
Other funds	Ch. 606 2(1)	-153,958
Federal funds	Ch. 606 3(1)	+1,063,124
State Assessments and Enterprise-Wide Costs		
General Fund	Ch. 606 1(2)	+4,552,850
Other funds	Ch. 606 2(2)	+220,384
Federal funds	Ch. 606 3(2)	+2,747,444
Self-Sufficiency Programs		
General Fund	Ch. 606 1(3)	+12,623,324
Other funds	Ch. 606 2(3)	+17,129
Federal funds	Ch. 606 3(3)	+7,792,205
Vocational Rehabilitation Services		
General Fund	Ch. 606 1(4)	+572,151
Other funds	Ch. 606 2(4)	+20,030

Federal funds	Ch. 606 3(4)	+1,676,170
Child Welfare Programs		
General Fund	Ch. 606 1(5)	+21,491,002
Other funds	Ch. 606 2(5)	+8,458
Federal funds	Ch. 606 3(5)	+7,664,022
Aging and People With Disabilities Programs		
General Fund	Ch. 606 1(6)	+7,280,295
Other funds	Ch. 606 2(6)	+1,515,320
Federal funds	Ch. 606 3(6)	+6,992,346
Intellectual/Developmental Disabilities Programs		
General Fund	Ch. 606 1(7)	+2,945,234
Other funds	Ch. 606 2(7)	+34,888
Federal funds	Ch. 606 3(7)	+4,495,106
Shared Services		
Other funds	Ch. 606 2(8)	+6,035,307
Oregon Health Authority: Health Systems, Health Policy and Analytics, and Public Health		
General Fund	Ch. 668 1(1)	+4,820,137
Other funds	Ch. 668 2(1)	+3,911,553
Lottery funds	Ch. 668 3(1)	+28,016
Federal funds	Ch. 668 5(1)	+6,919,293
Oregon State Hospital		
General Fund	Ch. 668 1(2)	+24,470,798
Other funds	Ch. 668 2(2)	+438,141
Federal funds	Ch. 668 5(2)	+775,704
Central Services, State Assessments and Enterprise-Wide Costs		
General Fund	Ch. 668 1(3)	+4,518,794
Other funds	Ch. 668 2(3)	+627,148
Federal funds	Ch. 668 5(3)	+1,505,464
Shared Administrative Services		
Other funds	Ch. 668 2(4)	+6,047,127

(6) JUDICIAL BRANCH.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Commission on Judicial Fitness and Disability: Administration		
General Fund	Ch. 167 1(1)	+4,075
Judicial Department: Judicial Compensation		
General Fund	Ch. 557 1(1)	+2,605,107
Operations		
General Fund	Ch. 557 1(2)	+14,542,113
Other funds	Ch. 557 2(1)	+772,853
Federal funds	Ch. 557 3	+29,837
Mandated Payments		
General Fund	Ch. 557 1(3)	+187,871
Other funds	Ch. 557 2(2)	+1,447
State Court Facilities and Security Account		
Other funds	Ch. 557 2(3)	+45,548
State Court Technology Fund		
Other funds	Ch. 557 2(4)	+482,597
Public Defense Services Commission: Executive Division		
General Fund	Ch. 444 1(1)	+143,103
Compliance, Audit and Performance Division		
General Fund	Ch. 444 1(2)	+248,409
Appellate Division		
General Fund	Ch. 444 1(3)	+750,390
Administrative Services Division		
General Fund	Ch. 444 1(8)	+457,739

(7) LEGISLATIVE BRANCH.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
Legislative Administration Committee: General Program		
General Fund	Ch. 559 1(1)	+856,691
Other funds	Ch. 559 2(1)	+12,294
Legislative Assembly: Biennial General Fund		
General Fund	Ch. 559 6	+590,290
81st Legislative Assembly		
General Fund	Ch. 559 7(1)	+1,033,657
82nd Legislative Assembly		
General Fund	Ch. 559 7(2)	+630,341
Legislative Equity Office		
General Fund	Ch. 559 8	+15,243
Legislative Counsel Committee: Operating Expenses		
General Fund	Ch. 559 11	+721,768
Other funds	Ch. 559 12	+60,856
Legislative Fiscal Officer: Operating Expenses		
General Fund	Ch. 559 14(1)	+253,382
Other funds	Ch. 559 14(2)	+154,495
Legislative Policy and Research Committee: Operating Expenses		
General Fund	Ch. 559 15	+603,535
Legislative Revenue Officer: Operating Expenses		
General Fund	Ch. 559 16	+139,698
Commission on Indian Services: Operating Expenses		
General Fund	Ch. 559 17	+26,364

(8) NATURAL RESOURCES.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment

State Marine Board:		
Administration and Education		
Other funds	**Ch. 428 1(1)**	**+188,595**
Marine Law Enforcement		
Other funds	**Ch. 428 1(2)**	**+51,982**
Facilities construction and maintenance		
Other funds	**Ch. 428 1(3)**	**+84,400**
Federal funds	**Ch. 428 2(3)**	**+11,299**
Aquatic invasive species		
Other funds	**Ch. 428 1(4)**	**+8,240**
State Department of Energy:		
Operations		
General Fund	**Ch. 423 1**	**+2,944**
Other funds	**Ch. 423 2**	**+757,841**
Federal funds	**Ch. 423 4**	**+111,534**
Energy Development Services		
General Fund	**Ch. 669 107**	**+31,457**
State Department of Geology and Mineral Industries:		
General Fund	**Ch. 5 1**	**+104,636**
Federal funds	**Ch. 5 3**	**-6,243**
Geologic Survey		
Other funds	**Ch. 5 2(1)**	**-5,124**
Mined Land Reclamation		
Other funds	**Ch. 5 2(2)**	**+69,263**
State Parks and Recreation Department:		
Director's Office		
Other funds	**Ch. 561 1(1)**	**+5,330**
Lottery funds	**Ch. 561 2(1)**	**+28,109**
Central Services		
Other funds	**Ch. 561 1(2)**	**+345,701**
Lottery funds	**Ch. 561 2(2)**	**+362,211**
Direct Services		
Other funds	**Ch. 561 1(4)**	**+1,750,448**
Lottery funds	**Ch. 561 2(4)**	**+1,694,964**
Federal funds	**Ch. 561 4(2)**	**+11,131**
Community Support and Grants		
Other funds	**Ch. 561 1(5)**	**+56,145**
Lottery funds	**Ch. 561 2(5)**	**+168,261**
Federal funds	**Ch. 561 4(3)**	**+40,704**
Outdoor Recreation Advisory Committee		
General Fund	**Ch. 669 178**	**+11,294**
Land Use Board of Appeals:		
General Fund	**Ch. 439 1**	**+96,304**
Water Resources Department:		
Administrative Services		
General Fund	**Ch. 665 1(1)**	**+165,092**
Other funds	**Ch. 665 3(1)**	**+44,756**
Field Services		
General Fund	**Ch. 665 1(2)**	**+518,433**
Other funds	**Ch. 665 3(2)**	**+105,615**
Water Rights and Adjudications		
General Fund	**Ch. 665 1(3)**	**+126,732**
Other funds	**Ch. 665 3(3)**	**+111,914**
Technical Services		
General Fund	**Ch. 665 1(4)**	**+496,224**
Other funds	**Ch. 665 3(4)**	**+136,360**
Federal funds	**Ch. 665 4(4)**	**+12,366**
Director's Office		
General Fund	**Ch. 665 1(5)**	**+167,109**
Oregon Watershed Enhancement Board:		
Operating Expenses, Activities and Projects		
Lottery funds	**Ch. 680 5**	**+227,261**
Operations		
General Fund	**Ch. 669 69(4)**	**+36,932**
Federal funds	**Ch. 680 7(1)**	**+123,676**
Department of State Lands:		
Common School Fund Programs		
Other funds	**Ch. 607 1(1)**	**+725,812**
South Slough National Estuarine Research Reserve Operations		
Other funds	**Ch. 607 1(3)**	**+104,813**
Federal funds	**Ch. 607 3(1)**	**+56,947**
Oregon Wetlands Revolving Fund		
Other funds	**Ch. 607 1(5)**	**+2,471**
State Department of Agriculture:		
Administrative and Support Services		
General Fund	**Ch. 600 1(1)**	**+49,296**
Other funds	**Ch. 600 2(1)**	**+288,219**
Food Safety		
General Fund	**Ch. 600 1(2)**	**+370,952**
Other funds	**Ch. 600 2(2)**	**+743,232**
Federal funds	**Ch. 600 4(2)**	**+9,384**
Natural Resources		
General Fund	**Ch. 600 1(3)**	**+261,712**
Other funds	**Ch. 600 2(3)**	**+650,281**
Federal funds	**Ch. 600 4(3)**	**+130,283**
Market Access		
General Fund	**Ch. 600 1(4)**	**+82,487**
Other funds	**Ch. 600 2(4)**	**+457,350**
Federal funds	**Ch. 600 4(4)**	**+75,239**
Parks and Natural Resources Fund		
Lottery funds	**Ch. 600 3**	**+213,188**
Department of Environmental Quality:		
Air Quality		
General Fund	**Ch. 673 1(1)**	**+676,152**
Other funds	**Ch. 673 2(1)**	**+1,557,730**
Federal funds	**Ch. 673 5(1)**	**+194,839**
Water Quality		
General Fund	**Ch. 673 1(2)**	**+1,199,293**
Other funds	**Ch. 673 2(2)**	**+941,874**
Federal funds	**Ch. 673 5(2)**	**+254,755**
Land Quality		
General Fund	**Ch. 673 1(3)**	**+36,054**
Other funds	**Ch. 673 2(3)**	**+1,529,643**
Federal funds	**Ch. 673 5(3)**	**+128,385**
Agency Management		
General Fund	**Ch. 673 1(4)**	**+3,445**
Other funds	**Ch. 673 2(4)**	**+922,275**
Parks and Natural Resources Fund		
Lottery funds	**Ch. 673 3**	**+224,550**
State Department of Fish and Wildlife:		
Fish Division		
General Fund	**Ch. 679 1(1)**	**+709,192**
Other funds	**Ch. 679 2(1)**	**+1,849,472**
Lottery funds	**Ch. 679 3(1)**	**+70,065**
Federal funds	**Ch. 679 4(1)**	**+2,183,238**
Wildlife Division		
General Fund	**Ch. 679 1(2)**	**+187,172**
Other funds	**Ch. 679 2(2)**	**+778,725**
Lottery funds	**Ch. 679 3(2)**	**+36,386**

Federal funds	Ch. 679 4(2)	+461,594
Administrative Services Division		
General Fund	Ch. 679 1(3)	+34,330
Other funds	Ch. 679 2(3)	+1,164,637
Federal funds	Ch. 679 4(3)	+148,119
Habitat Division		
General Fund	Ch. 679 1(7)	+245,749
Other funds	Ch. 679 2(7)	+141,809
Lottery funds	Ch. 679 3(3)	+11,886
Federal funds	Ch. 679 4(5)	+335,090
Capital Improvement		
Other funds	Ch. 679 2(4)	+23,690
State Forestry Department:		
Agency Administration		
General Fund	Ch. 605 1(1)	+53,323
Other funds	Ch. 605 2(1)	+1,259,501
Federal funds	Ch. 605 4(1)	+54,059
Fire Protection		
General Fund	Ch. 605 1(2)	+1,582,696
Other funds	Ch. 605 2(2)	+2,299,492
Federal funds	Ch. 605 4(2)	+169,894
Private Forests		
General Fund	Ch. 605 1(4)	+584,307
Other funds	Ch. 605 2(5)	+325,291
Federal funds	Ch. 605 4(5)	+129,185
State Forests		
Other funds	Ch. 605 2(3)	+1,643,200
Federal Forest Restoration		
General Fund	Ch. 605 1(3)	+301,215
Other funds	Ch. 605 2(4)	+2,639
Federal funds	Ch. 605 4(4)	+30,809
Equipment Pool		
General Fund	Ch. 605 1(6)	+25,088
Other funds	Ch. 605 2(8)	+258,478
Department of Land Conservation and Development:		
Operating Expenses		
Other funds	Ch. 438 2	+47,892
Federal funds	Ch. 438 3	+130,396
Planning Program		
General Fund	Ch. 438 1(1)	+517,660
Columbia River Gorge Commission:		
Operating Expenses		
General Fund	Ch. 432 1	+458

(9) PUBLIC SAFETY.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	$ Adjustment
State Board of Parole and Post-Prison Supervision:		
General Fund	Ch. 429 1	+265,696
Department of State Police:		
Patrol Services, Criminal Investigations, Gaming Enforcement and Office of the State Fire Marshal		
General Fund	Ch. 470 1(1)	+7,318,884
Other funds	Ch. 470 2(1)	-179,911
Federal funds	Ch. 470 3(1)	-159
Fish and Wildlife Enforcement		
General Fund	Ch. 470 1(2)	+215,831
Other funds	Ch. 470 2(2)	+993,839
Federal funds	Ch. 470 3(2)	+18,850
Lottery funds	Ch. 470 4	+249,144
Forensic Services and Chief Medical Examiner		
Other funds	Ch. 470 2(3)	+258,194
Federal funds	Ch. 470 3(3)	-221
Administrative Services, Agency Support and Criminal Justice Information Services		
General Fund	Ch. 470 1(4)	+4,548,904
Other funds	Ch. 470 2(4)	+820,236
Department of Corrections:		
Operations and Health Services		
General Fund	Ch. 468 1(1)	+36,327,123
Other funds	Ch. 468 2(1)	+720,246
Central Administration and Administrative Services		
General Fund	Ch. 468 1(2)	+3,450,959
Other funds	Ch. 468 2(2)	+530,617
Correctional Services		
General Fund	Ch. 468 1(3)	+2,017,908
Community Corrections		
General Fund	Ch. 468 1(4)	+598,696
Oregon Criminal Justice Commission:		
General Fund	Ch. 379 1	+218,846
Other funds	Ch. 379 3	+24,310
Federal funds	Ch. 379 4	+16,073
District Attorneys and Deputies:		
Department of Justice for District Attorneys		
General Fund	Ch. 433 1	+371,864
Department of Justice:		
Office of the Attorney General and Administration		
General Fund	Ch. 427 1(1)	+19,545
Other funds	Ch. 427 2(1)	+1,264,970
Appellate Division		
Other funds	Ch. 427 2(2)	+808,390
Criminal Justice Division		
General Fund	Ch. 427 1(3)	+513,867
Other funds	Ch. 427 2(4)	+207,087
Federal funds	Ch. 427 3(2)	+16,458
Crime Victim and Survivor Services		
General Fund	Ch. 427 1(4)	+341,323
Other funds	Ch. 427 2(5)	+8,330
Federal funds	Ch. 427 3(3)	+118,368
Division of Child Support		
General Fund	Ch. 427 1(6)	+1,203,812
Other funds	Ch. 427 2(8)	+180,293
Federal funds	Ch. 427 3(4)	+2,685,359
Civil Enforcement Division		
Other funds	Ch. 427 2(3)	+3,457,207
Federal funds	Ch. 427 3(1)	+144,001
General Counsel Division		
Other funds	Ch. 427 2(6)	+2,213,612
Trial Division		
Other funds	Ch. 427 2(7)	+1,410,753
Trauma Training Grants		
General Fund	Ch. 532 8	+9,458
Sanctuary Violation Hotline and Website		
General Fund	Ch. 550 10	+39,378
Bias Crimes Response		

General Fund	**Ch. 669 56**	**+57,183**
Oregon Military Department:		
Administration		
General Fund	**Ch. 662 1(1)**	**+202,941**
Other funds	**Ch. 662 2(1)**	**+65,032**
Federal funds	**Ch. 662 3(1)**	**+30,450**
Operations		
General Fund	**Ch. 662 1(2)**	**+124,195**
Other funds	**Ch. 662 2(2)**	**+137,709**
Federal funds	**Ch. 662 3(2)**	**+2,055,182**
Emergency Management		
General Fund	**Ch. 662 1(3)**	**+544,622**
Other funds	**Ch. 662 2(3)**	**+87,813**
Federal funds	**Ch. 662 3(3)**	**+415,470**
Community Support		
General Fund	**Ch. 662 1(4)**	**-1**
Other funds	**Ch. 662 2(4)**	**+129,266**
Federal funds	**Ch. 662 3(4)**	**+522,347**
Department of Public Safety Standards and Training:		
Operations		
Other funds	**Ch. 381 2(1)**	**+1,436,538**
Federal funds	**Ch. 381 3**	**+9,149**
Oregon Youth Authority:		
Facility Programs		
General Fund	**Ch. 430 1(1)**	**+5,985,743**
Other funds	**Ch. 430 2(1)**	**+29,145**
Community Programs		
General Fund	**Ch. 430 1(2)**	**+963,952**
Federal funds	**Ch. 430 3(1)**	**+198,604**
Program Support		
General Fund	**Ch. 430 1(3)**	**+1,403,217**
Federal funds	**Ch. 430 3(2)**	**+46,821**

(10) TRANSPORTATION.

Agency/Program/Funds	**2021 Oregon Laws Chapter/ Section**	**$ Adjustment**
Oregon Department of Aviation:		
Operations		
Other funds	**Ch. 602 1(1)**	**+86,939**
Federal funds	**Ch. 602 2(1)**	**+12,984**
Aircraft Registration		
Other funds	**Ch. 602 1(2)**	**+8,175**
Pavement Maintenance		
Other funds	**Ch. 602 1(3)**	**+4,048**
Department of Transportation:		
Maintenance and Emergency Relief Programs		
Other funds	**Ch. 442 2(2)**	**+9,322,034**
Preservation Program		
Other funds	**Ch. 442 2(3)**	**+1,246,371**
Bridge Program		
Other funds	**Ch. 442 2(4)**	**+1,673,138**
Operations Program		
Other funds	**Ch. 442 2(5)**	**+1,801,287**
Modernization Program		
Other funds	**Ch. 442 2(6)**	**+1,994,055**
Special Programs		
Other funds	**Ch. 442 2(7)**	**+5,406,704**
Local Government Program		
Other funds	**Ch. 442 2(8)**	**+532,917**
Driver and Motor Vehicle Services		
Other funds	**Ch. 442 2(9)**	**+6,219,164**
Commerce and Compliance		
Other funds	**Ch. 442 2(10)**	**+2,560,630**
Policy, Data and Analysis		
Other funds	**Ch. 442 2(11)**	**+2,073,843**
Federal funds	**Ch. 442 3(3)**	**+3,981**
Public Transit		
Other funds	**Ch. 442 2(12)**	**+339,635**
Rail		
Other funds	**Ch. 442 2(13)**	**+331,194**
Transportation Safety		
Other funds	**Ch. 442 2(14)**	**+128,321**
Federal funds	**Ch. 442 3(6)**	**+106,527**
Support Services		
Other funds	**Ch. 442 2(15)**	**+4,068,953**
ODOT Headquarters		
Other funds	**Ch. 442 2(16)**	**+522,913**
Finance and Budget		
Other funds	**Ch. 442 2(17)**	**+531,656**

SECTION 468. Section 299, chapter 669, Oregon Laws 2021, is amended to read:

Sec. 299. Notwithstanding any other provision of law, the authorized appropriations and expenditure limitations for the biennium beginning July 1, 2021, for the following agencies and programs are changed by the amounts specified:

(1) ADMINISTRATION.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Oregon Advocacy Commissions Office:		
Operating Expenses		
General Fund	Ch. 345 1	-$16,340
Oregon Department of Administrative Services:		
Chief Operating Office		
Other funds	Ch. 425 2(1)	-41,343
Debt Service		
General Fund	Ch. 425 [*1(7)*] **1(6)**	-600,308
Chief Financial Office		
Other funds	Ch. 425 2(2)	-57,772
Office of the State Chief Information Officer - Policy		
Other funds	Ch. 425 2(3)	-144,309
Chief Human Resource Office		
Other funds	Ch. 425 2(4)	-124,310
OSCIO - State Data Center - Operations		
Other funds	Ch. 425 2(5)(a)	-877,634
Enterprise Asset Management		
Other funds	Ch. 425 2(6)	-65,117
Enterprise Goods and Services		

Other funds	Ch. 425 2(7)	-1,776,395
Business Services		
Other funds	Ch. 425 2(8)	-1,554,348
Debt Service - ODAS		
Other funds	Ch. 425 2(12)	-2,695,360
ODAS Information Technology		
Other funds	Ch. 425 2(14)	+110,879
Debt Service and Related Costs for Bonds Issued		
Lottery funds	Ch. 425 3	-8,932,386
State Treasury:		
Administrative Services		
Other funds	Ch. 443 1(1)	-271,372
Investment Services		
Other funds	Ch. 443 1(3)	-196,552
Public Savings Services		
Other funds	Ch. 443 1(4)	-62,640
State and Local Government Financial Services		
Other funds	Ch. 443 1(5)	-90,669
Oregon Racing Commission:		
Operating Expenses		
Other funds	Ch. 383 1	-40,195
Public Employees Retirement System:		
Central Administration Division		
Other funds	Ch. 145 1(1)	-210,200
Financial and Administrative Services Division		
Other funds	Ch. 145 1(2)	-3,306,098
Information Services Division		
Other funds	Ch. 145 1(3)	+7,730
Operations Division		
Other funds	Ch. 145 1(4)	-11,469
Compliance, Audit and Risk Division		
Other funds	Ch. 145 1(5)	-68,410
Secretary of State:		
Administrative Services Division		
General Fund	Ch. 505 1(1)	+20,067
Other funds	Ch. 505 2(1)	-106,645
Elections Division		
General Fund	Ch. 505 1(2)	-211,220
Other funds	Ch. 505 2(2)	-34
Federal funds	Ch. 505 3	-6,971
Archives Division		
Other funds	Ch. 505 2(4)	-164,264
Audits Division		
Other funds	Ch. 505 2(3)	-126,229
Corporation Division		
Other funds	Ch. 505 2(5)	-155,311
Oregon Liquor Control Commission:		
Administrative Expenses		
Other funds	Ch. 640 1(1)	-514,975
Marijuana Regulation - Recreational		
Other funds	Ch. 640 1(2)	-39,720
Marijuana Regulation - Medical		
Other funds	Ch. 640 1(3)	-3,722
Department of Revenue:		
Administration		
General Fund	Ch. 441 1(1)	-1,197,563
Other funds	Ch. 441 2(1)	-325,197
Property Tax Division		
General Fund	Ch. 441 1(2)	-117,395
Other funds	Ch. 441 2(2)	-5,616
Personal Tax and Compliance Division		
General Fund	Ch. 441 1(3)	-419,665
Other funds	Ch. 441 2(3)	-14,434
Business Division		
General Fund	Ch. 441 1(4)	-158,912
Other funds	Ch. 441 2(4)	-58,963
Information Technology Services Division		
General Fund	Ch. 441 1(6)	+40,422
Other funds	Ch. 441 2(7)	+10,298
Debt Service		
General Fund	Ch. 441 1(7)	-789,000
Other funds	Ch. 441 2(10)	+790,000
Collections Division		
General Fund	Ch. 441 1(5)	-69,688
Other funds	Ch. 441 2(5)	-40,049
Marijuana Division		
Other funds	Ch. 441 2(8)	-22,802
Corporate Division		
Other funds	Ch. 441 2(6)	-20,201
Senior Property Tax Deferral Program		
Other funds	Ch. 441 2(9)	-9,469
Employment Relations Board:		
Operating Expenses		
General Fund	Ch. 166 1	-77,831
Assessments of Agencies		
Other funds	Ch. 166 3	-51,846
Office of the Governor:		
Operating Expenses		
General Fund	Ch. 434 1	-476,684
Other funds	Ch. 434 4	-92,512
Regional Solutions		
Lottery funds	Ch. 434 3	-72,430
Oregon Government Ethics Commission:		
Operating Expenses		
Other funds	Ch. 288 1	-92,004
State Library:		
Operating Expenses		
General Fund	Ch. 308 1	-70,697
Operating Expenses - Non-Assessments		
Other funds	Ch. 308 2	-96,767
Operating Expenses - Assessments		
Other funds	Ch. 308 3	-120,049

(2) CONSUMER AND BUSINESS SERVICES.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Oregon Board of Accountancy:		
Operating Expenses		
Other funds	Ch. 377 1	-$88,512
State Board of Tax Practitioners:		
Operating Expenses		

Other funds	Ch. 348 1	-69,152
Construction Contractors Board:		
Operating Expenses		
Other funds	Ch. 347 1	-186,817
Mental Health Regulatory Agency		
Oregon Board of Licensed Professional Counselors and Therapists:		
Other funds	Ch. 437 1	-94,751
Oregon Board of Psychology:		
Other funds	Ch. 437 2	-50,980
State Board of Chiropractic Examiners:		
Operating Expenses		
Other funds	Ch. 346 1	-79,230
State Board of Licensed Social Workers:		
Operating Expenses		
Other funds	Ch. 440 1	-86,002
Oregon Board of Dentistry:		
Operating Expenses		
Other funds	Ch. 287 1	-23,039
Health-Related Licensing Boards:		
State Mortuary and Cemetery Board		
Other funds	Ch. 504 1	-54,881
Oregon Board of Naturopathic Medicine		
Other funds	Ch. 504 2	-31,572
Occupational Therapy Licensing Board		
Other funds	Ch. 504 3	-14,198
Board of Medical Imaging		
Other funds	Ch. 504 4	-30,351
State Board of Examiners for Speech-Language Pathology and Audiology		
Other funds	Ch. 504 5	-26,641
Oregon State Veterinary Medical Examining Board		
Other funds	Ch. 504 6	-31,762
Bureau of Labor and Industries:		
Operating Expenses		
General Fund	Ch. 558 1	-159,929
Other funds	Ch. 558 2	-114,658
Federal funds	Ch. 558 4	-14,786
Wage Security Fund Administration		
Other funds	Ch. 558 3(1)	-27,629
Public Utility Commission:		
Utility Program		
Other funds	Ch. 382 1(1)	-215,242
Residential Service Protection Fund		
Other funds	Ch. 382 1(2)	-13,440
Administration		
Other funds	Ch. 382 1(3)	-142,891
Oregon Board of Maritime Pilots		
Other funds	Ch. 382 1(4)	-11,713
Department of Consumer and Business Services:		
Workers' Compensation Board		
Other funds	Ch. 503 1(1)	-107,415
Workers' Compensation Division		
Other funds	Ch. 503 1(2)	-432,712
Oregon OSHA		
Other funds	Ch. 503 1(3)	-503,718
Central Services Division		
Other funds	Ch. 503 1(5)	-329,020
Division of Financial Regulation		
Other funds	Ch. 503 1(6)	-408,386
Federal funds	Ch. 503 2(5)	-157
Building Codes Division		
Other funds	Ch. 503 1(7)	-256,616
Health Insurance Exchange - Marketplace Division		
Other funds	Ch. 503 1(4)	-54,625
Real Estate Agency:		
Operating Expenses		
Other funds	Ch. 311 1	-66,208
Oregon State Board of Nursing:		
Operating Expenses		
Other funds	Ch. 310 1	-123,016
Oregon Medical Board:		
Operating Expenses		
Other funds	Ch. 309 1	-84,573
State Board of Pharmacy:		
Operating Expenses		
Other funds	Ch. 168 1	-65,797

(3) ECONOMIC DEVELOPMENT.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Oregon Business Development Department:		
Oregon Arts Commission		
General Fund	Ch. 560 1(1)	-$16,035
Business, Innovation and Trade		
General Fund	Ch. 560 1(2)	-782
Other funds	Ch. 560 2(1)	-65,118
Lottery funds	Ch. 560 3(1)	-136,172
Debt Service		
General Fund	Ch. 560 1(3)	-2,503,158
Infrastructure		
Other funds	Ch. 560 2(2)	-78,567
Lottery funds	Ch. 560 3(5)	-14,229
Federal funds	Ch. 560 4(2)	-1,674
Operations		
Other funds	Ch. 560 2(3)	-1,015
Lottery funds	Ch. 560 3(2)	-105,280
Arts and Cultural Trust		
Other funds	Ch. 560 2(4)	-11,817
Lottery Bond Debt Service		
Lottery funds	Ch. 560 3(4)	-10,895,472
Housing and Community Services Department:		
Operating Expenses		
General Fund	Ch. 556 1	-3,465
Other funds	Ch. 556 2	-793,556

Federal funds	Ch. 556 4	-79,166
Debt Service		
General Fund	Ch. 556 5	-2,321,470
Other funds	Ch. 556 6	+33,240
Lottery funds	Ch. 556 3	-7,234,990
Non-limited		
Other funds	Ch. 556 7(3)	-7,709
Department of Veterans' Affairs:		
Services Provided by the Department		
General Fund	Ch. 471 1(1)	-80,837
Lottery funds	Ch. 471 2(1)	-51,774
Debt Service		
Lottery funds	Ch. 471 2(4)	-690,010
Veteran Loans, Oregon Veterans' Homes		
Other funds	Ch. 471 3(1)	-238,862
Employment Department:		
Family and Medical Leave Insurance Program		
General Fund	Ch. 426 1(2)	-3,991
Other funds	Ch. 426 2(3)	-64,681
Unemployment Insurance, Shared Services and Workforce Operations, and Workforce and Economic Research		
Other funds	Ch. 426 2(1)	-838,693
Office of Administrative Hearings		
Other funds	Ch. 426 2(2)	-150,666
Modernization Initiative		
Other funds	Ch. 426 2(4)	-243,749
Operating Budget		
Federal funds	Ch. 426 5	-1,444,089

(4) EDUCATION.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Teacher Standards and Practices Commission:		
Operating Expenses		
Other funds	Ch. 641 1	-$242,855
Department of Education:		
Operations		
General Fund	Ch. 603 1(1)	-3,479,423
Other funds	Ch. 603 5(2)	-633,614
Federal funds	Ch. 603 7(1)	-367,455
Article XI-P General Obligation Bonds Debt Service		
General Fund	Ch. 603 4	-1,956,319
Higher Education Coordinating Commission:		
HECC programs and grants		
General Fund	Ch. 660 1(1)	-494,020
Other funds	Ch. 660 6(1)	-36,918
Federal funds	Ch. 660 7	-59,193
Debt Service		
Community Colleges		
General Fund	Ch. 660 1(10)(b)	-2,677,692
Debt Service		
Public Universities		
General Fund	Ch. 660 1(10)(a)	-7,461,057
Lottery Debt Service - From Administrative Services Economic Development Fund for Public Universities		
Lottery funds	Ch. 660 2	-4,654,468
Lottery Debt Service - From Administrative Services Economic Development Fund for Community Colleges		
Lottery funds	Ch. 660 3	-1,545,583
Debt Service - Lottery, general obligation bonds		
Public Universities		
Other funds	Ch. 660 6(3)	+1,939,485

(5) HUMAN SERVICES.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Long Term Care Ombudsman:		
General Program and Services Provided to Care Facility Residents		
General Fund	Ch. 469 1(1)	-$33,561
Public Guardian and Conservator Program		
General Fund	Ch. 469 1(2)	-21,043
Operating Expenses		
Other funds	Ch. 469 2	-5,302
Commission for the Blind:		
Operating Expenses		
General Fund	Ch. 378 1	-33,596
Other funds	Ch. 378 2	-11,532
Federal funds	Ch. 378 3	-162,344
Psychiatric Security Review Board:		
Operating Expenses		
General Fund	Ch. 380 1	-53,732
Department of Human Services:		
Central Services		
General Fund	Ch. 606 1(1)	-106,286
Other funds	Ch. 606 2(1)	-14,795
Federal funds	Ch. 606 3(1)	-125,763
State Assessments and Enterprise-Wide Costs		
General Fund	Ch. 606 1(2)	-12,893,756
Other funds	Ch. 606 2(2)	-535,624
Federal funds	Ch. 606 3(2)	-7,349,430
Self-Sufficiency Programs		
General Fund	Ch. 606 1(3)	-196,634
Other funds	Ch. 606 2(3)	-1,357
Federal funds	Ch. 606 3(3)	-98,911
Vocational Rehabilitation Services		
General Fund	Ch. 606 1(4)	-8,608
Other funds	Ch. 606 2(4)	-755

Federal funds	Ch. 606 3(4)	-41,538
Child Welfare		
General Fund	Ch. 606 1(5)	-3,722,564
Other funds	Ch. 606 2(5)	-11,692
Federal funds	Ch. 606 3(5)	-2,375,227
Aging and People With Disabilities Programs		
General Fund	Ch. 606 1(6)	-235,189
Other funds	Ch. 606 2(6)	-16,108
Federal funds	Ch. 606 3(6)	-286,767
Intellectual/Developmental Disabilities Programs		
General Fund	Ch. 606 1(7)	-20,235
Other funds	Ch. 606 2(7)	-42
Federal funds	Ch. 606 3(7)	-37,821
Debt Service		
General Fund	Ch. 606 1(8)	-1,406,985
Other funds	Ch. 606 2(9)	+1,112,515
Shared Services		
Other funds	Ch. 606 2(8)	-156,595
Oregon Health Authority: Health Systems, Health Policy and Analytics, and Public Health		
General Fund	Ch. 668 1(1)	-272,508
Other funds	Ch. 668 2(1)	-311,188
Lottery funds	Ch. 668 3(1)	-97
Federal funds	Ch. 668 5(1)	-311,692
Oregon State Hospital		
General Fund	Ch. 668 1(2)	-166,598
Other funds	Ch. 668 2(2)	-36,811
Federal funds	Ch. 668 5(2)	-62
Central Services, State Assessments and Enterprise-Wide Costs		
General Fund	Ch. 668 1(3)	-12,869,243
Other funds	Ch. 668 2(3)	-1,981,320
Federal funds	Ch. 668 5(3)	-3,396,960
Shared Administrative Services		
Other funds	Ch. 668 2(4)	-39,051

(6) JUDICIAL BRANCH.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Judicial Fit and Disability Commission:		
Administration		
General Fund	Ch. 167 1(1)	-$16,357
Judicial Department:		
Operations		
General Fund	Ch. 557 1(2)	-2,426,205
Debt Service		
General Fund	Ch. 557 1(5)	-5,111,991
Public Defense Services Commission:		
Administrative Services		
General Fund	Ch. 444 1(8)	-190,407

(7) LEGISLATIVE BRANCH.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Legislative Administration Committee:		
General Program		
General Fund	Ch. 559 1(1)	-$204,324
Debt Service		
General Fund	Ch. 559 1(2)	-3,308,287
Other funds	Ch. 559 2(2)	+627,060
Legislative Assembly:		
Biennial General Fund		
General Fund	Ch. 559 6	-262,700
Legislative Counsel Committee:		
Operating Expenses		
General Fund	Ch. 559 11	-130,806
Legislative Fiscal Officer:		
Operating Expenses		
General Fund	Ch. 559 14(1)	-7,562
Legislative Revenue Officer:		
Operating Expenses		
General Fund	Ch. 559 16	-5,636
Commission on Indian Services:		
Operating Expenses		
General Fund	Ch. 559 17	-28,888
Legislative Policy and Research Committee:		
Operating Expenses		
General Fund	Ch. 559 15	-35,929

(8) NATURAL RESOURCES.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
State Marine Board:		
Administration and Education		
Other funds	Ch. 428 1(1)	-$90,157
State Department of Energy:		
Operations		
Other funds	Ch. 423 2	-269,199
Federal funds	Ch. 423 4	-561
State Department of Geology and Mineral Industries:		
General Fund	Ch. 5 1	+23,848
Geologic Survey		
Other funds	Ch. 5 2(1)	-4,024
Mined Land Reclamation		
Other funds	Ch. 5 2(2)	-2,670
State Parks and Recreation Department:		
Director's Office		
Other funds	Ch. 561 [*2(1)*] **1(1)**	-5,297
Lottery funds	Ch. 561 [*3(1)*]	

	2(1)	-5,045
Central Services		
Other funds	Ch. 561 [*2(2)*] **1(2)**	-934,468
Lottery funds	Ch. 561 [*3(2)*] **2(2)**	-889,953
Direct Services		
Other funds	Ch. 561 [*2(4)*] **1(4)**	-169,981
Lottery funds	Ch. 561 [*3(4)*] **2(4)**	-161,884
Debt Service		
Lottery funds	Ch. 561 [*4*] **3**	-864,620
Land Use Board of Appeals:		
General Fund	Ch. 439 1	+20,325
Water Resources Department:		
Administrative Services		
General Fund	Ch. 665 1(1)	-312,386
Other funds	Ch. 665 3(1)	-3,416
Field Services		
General Fund	Ch. 665 1(2)	-53,394
Other funds	Ch. 665 3(2)	-18,248
Water Rights and Adjudications		
General Fund	Ch. 665 1(3)	-14,033
Other funds	Ch. 665 3(3)	-23,674
Technical Services		
General Fund	Ch. 665 1(4)	-12,335
Other funds	Ch. 665 3(4)	-11,108
Director's Office		
General Fund	Ch. 665 1(5)	-49,829
Debt Service		
Lottery funds	Ch. 665 2	-7,485,210
Oregon Watershed Enhancement Board:		
Operating Expenses, Activities and Projects		
Lottery funds	Ch. 680 5	-81,602
Department of State Lands:		
Common School Fund Programs		
Other funds	Ch. 607 1(1)	-781,005
South Slough National Estuarine Research Reserve Operations		
Other funds	Ch. 607 1(3)	-453
State Department of Agriculture:		
Administrative and Support Services		
General Fund	Ch. 600 1(1)	-10,120
Other funds	Ch. 600 2(1)	-32,221
Food Safety		
General Fund	Ch. 600 1(2)	-99,522
Other funds	Ch. 600 2(2)	-201,523
Federal funds	Ch. 600 4(2)	-5,700
Natural Resources		
General Fund	Ch. 600 1(3)	-50,185
Other funds	Ch. 600 2(3)	-188,772
Federal funds	Ch. 600 4(3)	-28,785
Market Access		
General Fund	Ch. 600 1(4)	-39,189
Other funds	Ch. 600 2(4)	-154,513
Federal funds	Ch. 600 4(4)	-24,874
Parks and Natural Resources Fund		
Lottery funds	Ch. 600 3	-75,930
Department of Environmental Quality:		
Air Quality		
General Fund	Ch. 673 1(1)	-21,043
Other funds	Ch. 673 2(1)	-363,227
Federal funds	Ch. 673 5(1)	-3,361
Water Quality		
General Fund	Ch. 673 1(2)	-25,425
Other funds	Ch. 673 2(2)	-98,503
Federal funds	Ch. 673 5(2)	-287,782
Land Quality		
Other funds	Ch. 673 2(3)	-400,443
Federal funds	Ch. 673 5(3)	-3,685
Agency Management		
Other funds	Ch. 673 2(4)	-1,250,464
Parks and Natural Resources Fund		
Lottery funds	Ch. 673 3	-6,402
State Department of Fish and Wildlife:		
Fish Division		
General Fund	Ch. 679 1(1)	-69
Other funds	Ch. 679 2(1)	-446,546
Lottery funds	Ch. 679 3(1)	-30
Federal funds	Ch. 679 4(1)	-121
Wildlife Division		
General Fund	Ch. 679 1(2)	-349
Other funds	Ch. 679 2(2)	-255,794
Lottery funds	Ch. 679 3(2)	-58
Federal funds	Ch. 679 4(2)	-1,843
Administrative Services Division		
General Fund	Ch. 679 1(3)	-41,537
Other funds	Ch. 679 2(3)	-2,078,639
State Forestry Department:		
Agency Administration		
Other funds	Ch. 605 2(1)	-1,559,761
Federal funds	Ch. 605 4(1)	-1,138
Fire Protection		
General Fund	Ch. 605 1(2)	-699,452
Other funds	Ch. 605 2(2)	-100,353
Federal funds	Ch. 605 4(2)	-62,451
Private Forests		
General Fund	Ch. 605 1(4)	-167,457
Other funds	Ch. 605 2(5)	-15,136
Federal funds	Ch. 605 4(5)	-11,788
Debt Service		
General Fund	Ch. 605 1(5)	-2,059
Other funds	Ch. 605 2(7)	+2,060
State Forests		
Other funds	Ch. 605 2(3)	-107,181
Federal funds	Ch. 605 4(3)	-875
Federal Forest Restoration		
General Fund	Ch. 605 1(3)	-18,249
Equipment Pool		
Other funds	Ch. 605 2(8)	-29,419
Facilities Maintenance and Management		
Other funds	Ch. 605 2(9)	-1,785
Department of Land Conservation and Development:		
Planning Program		
General Fund	Ch. 438 1(1)	-170,597
Other funds	Ch. 438 2	-2,493
Federal funds	Ch. 438 3	-48,580
Columbia River Gorge Commission:		
Operating Expenses		
General Fund	Ch. 432 1	-1,251

(9) PUBLIC SAFETY.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
State Board of Parole and Post-Prison Supervision:		
General Fund	Ch. 429 1	-$133,859
Department of State Police: Patrol Services, Criminal Investigations, Gaming Enforcement and Office of the State Fire Marshal		
General Fund	Ch. 470 1(1)	-1,764,766
Other funds	Ch. 470 2(1)	-604,732
Federal funds	Ch. 470 3(1)	-17,855
Fish and Wildlife Enforcement		
General Fund	Ch. 470 1(2)	-180,468
Other funds	Ch. 470 2(2)	-240,393
Federal funds	Ch. 470 3(2)	-2,319
Forensic Services and Chief Medical Examiner		
General Fund	Ch. 470 1(3)	-174,006
Other funds	Ch. 470 2(3)	-434
Federal funds	Ch. 470 3(3)	-812
Administrative Services, Agency Support and Criminal Justice Information Services		
General Fund	Ch. 470 1(4)	-483,686
Other funds	Ch. 470 2(4)	-68,454
Federal funds	Ch. 470 3(4)	-19,753
Department of Corrections: Operations and Health Services		
Other funds	Ch. 468 2(1)	-463,297
Central Administration and Administrative Services		
General Fund	Ch. 468 1(2)	-11,413,687
Other funds	Ch. 468 2(2)	-280,760
Debt Service		
General Fund	Ch. 468 1(5)	-1,344,623
Oregon Criminal Justice Commission:		
General Fund	Ch. 379 1	-117,953
Other funds	Ch. 379 3	-531
Federal funds	Ch. 379 4	-133
District Attorneys and Deputies: Department of Justice for District Attorneys		
General Fund	Ch. 433 1	-223,358
Department of Justice: Office of the Attorney General and Administration		
General Fund	Ch. 427 1(1)	-2,553
Other funds	Ch. 427 2(1)	-166,372
Appellate Division		
General Fund	Ch. 427 1(2)	-22,375
Other funds	Ch. 427 2(2)	-62,550
Criminal Justice Division		
General Fund	Ch. 427 1(3)	-67,301
Other funds	Ch. 427 2(4)	-112,150
Federal funds	Ch. 427 3(2)	-304
Crime Victim and Survivor Services Division		
General Fund	Ch. 427 1(4)	-25,051
Other funds	Ch. 427 2(5)	-81,464
Federal funds	Ch. 427 3(3)	-50,134
Defense of Criminal Convictions		
General Fund	Ch. 427 1(5)	-1,906,462
Division of Child Support		
General Fund	Ch. 427 1(6)	-294,558
Other funds	Ch. 427 2(8)	-155,495
Federal funds	Ch. 427 3(4)	-811,203
Civil Enforcement Division		
Other funds	Ch. 427 2(3)	-1,058,659
Federal funds	Ch. 427 3(1)	-25,480
General Counsel Division		
Other funds	Ch. 427 2(6)	-242,529
Trial Division		
Other funds	Ch. 427 2(7)	-272,137
Oregon Military Department: Administration		
General Fund	Ch. 662 1(1)	-419,147
Other funds	Ch. 662 2(1)	-3,320
Operations		
General Fund	Ch. 662 1(2)	-152,755
Other funds	Ch. 662 2(2)	-10,541
Federal funds	Ch. 662 [*3(1)*] **3(2)**	-679,018
Emergency Management		
General Fund	Ch. 662 1(3)	-446,105
Other funds	Ch. 662 2(3)	-117,652
Federal funds	Ch. 662 [*3(2)*] **3(3)**	-10,391
Community Support		
General Fund	Ch. 662 1(4)	-5,875
Other funds	Ch. 662 2(4)	-13,787
Federal funds	Ch. 662 [*3(3)*] **3(4)**	-37,944
Debt Service		
General Fund	Ch. 662 1(5)	-270,250
Department of Public Safety Standards and Training: Operations		
Other funds	Ch. 381 2(1)	-410,560
Federal funds	Ch. 381 3	-2,797
Oregon Youth Authority: Facility Programs		
General Fund	Ch. 430 1(1)	-155,820
Community Programs		
General Fund	Ch. 430 1(2)	-159,342
Federal funds	Ch. 430 3(1)	-32,267
Program Support		
General Fund	Ch. 430 1(3)	-2,788,587
Federal funds	Ch. 430 3(2)	-97,549
Debt Service		
General Fund	Ch. 430 1(6)	-4,808,726
[*Other funds*	*Ch. 430 2(4)*	*+1,137,980*]

(10) TRANSPORTATION.

Agency/Program/Funds	2021 Oregon Laws Chapter/ Section	Adjustment
Oregon Department of Aviation: Operations		

Other funds	Ch. 602 1(1)	-$31,667
Department of Transportation:		
Debt Service		
General Fund	Ch. 442 1	-547
Other funds	Ch. 442 2(18)	+550
Lottery funds	Ch. 442 4	-3,539,712
Maintenance and Emergency Relief Program		
Other funds	Ch. 442 2(2)	-4,932,261
Preservation Program		
Other funds	Ch. 442 2(3)	-998
Bridge Program		
Other funds	Ch. 442 2(4)	-3,137
Operations Program		
Other funds	Ch. 442 2(5)	-20,692
Modernization Program		
Other funds	Ch. 442 2(6)	-40,581
Special Programs		
Other funds	Ch. 442 2(7)	-664,181
Local Government Program		
Other funds	Ch. 442 2(8)	-807
Driver and Motor Vehicle Services		
Other funds	Ch. 442 2(9)	-367,454
Commerce and Compliance		
Other funds	Ch. 442 2(10)	-16,288
Policy, Data and Analysis		
Other funds	Ch. 442 2(11)	-19,610
Federal funds	Ch. 442 3(3)	-326
Public Transit		
Other funds	Ch. 442 2(12)	-197
Rail		
Other funds	Ch. 442 2(13)	-60,120
Federal funds	Ch. 442 3(5)	-72,556
Transportation Safety		
Other funds	Ch. 442 2(14)	-521
Federal funds	Ch. 442 3(6)	-195
Support Services		
Other funds	Ch. 442 2(15)	-3,221,439
Headquarters		
Other funds	Ch. 442 2(16)	-9,018
Finance and Budget		
Other funds	Ch. 442 2(17)	-1,760,106

SECTION 469. This 2022 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2022 Act takes effect on its passage.

Approved by the Governor April 4, 2022
Filed in the office of Secretary of State April 6, 2022
Effective date April 4, 2022

HB 5202 A BUDGET REPORT and MEASURE SUMMARY **Carrier:** Sen. Steiner Hayward

Joint Committee On Ways and Means

Action Date:	02/28/22
Action:	Do pass the A-Eng bill.
Senate Vote	
Yeas:	9 - Anderson, Frederick, Golden, Gorsek, Hansell, Knopp, Lieber, Steiner Hayward, Taylor
Nays:	2 - Girod, Thomsen
House Vote	
Yeas:	8 - Breese-Iverson, Evans, Gomberg, McLain, Nosse, Sanchez, Smith G, Valderrama
Nays:	3 - Bynum, Reschke, Stark
Prepared By:	Laurie Byerly, Legislative Fiscal Office
Reviewed By:	Amanda Beitel, Legislative Fiscal Office

Emergency Board
2021-23

Various Agencies
2021-23

Budget Summary*

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			$ Change	% Change
Emergency Board				
General Fund - General Purpose	$ 50,000,000	$ 50,000,000	$ -	0.0%
General Fund - Special Purpose Appropriations				
State Agencies for state employee compensation	$ 198,000,000	$ -	$ (198,000,000)	-100.0%
State Agencies for non-state worker compensation	$ 20,000,000	$ -	$ (20,000,000)	-100.0%
Various - Family Treatment Court Program	$ 10,000,000	$ 7,934,570	$ (2,065,430)	-20.7%
Oregon Judicial Department - Pre-trial Release (SB 48)	$ 2,500,000	$ -	$ (2,500,000)	-100.0%
Department of Forestry - Fire Protection Expenses	$ 14,000,000	$ 7,853,733	$ (6,146,267)	-43.9%
ODFW - Oregon Conservation and Recreation Fund	$ 1,000,000	$ -	$ (1,000,000)	-100.0%
OSP - State Fire Marshal Standalone Agency Transition	$ 1,807,561	$ -	$ (1,807,561)	-100.0%
DHS - Child Welfare Position Double Fills	$ 15,859,656	$ -	$ (15,859,656)	-100.0%
Oregon Health Authority - BH System Transformation	$ 49,000,000	$ -	$ (49,000,000)	-100.0%
Oregon Health Authority - OSH Staffing Levels	$ 20,000,000	$ 9,189,057	$ (10,810,943)	-54.1%
Various - Department of Early Learning and Care	$ 5,130,265	$ 1,901,447	$ (3,228,818)	-62.9%
Various - State Response to Natural Disasters	$ 51,275,000	$ 26,275,000	$ (25,000,000)	-48.8%
OHA/DHS - Caseloads and Other Issues	$ 55,000,000	$ 100,000,000	$ 45,000,000	81.8%
Department of Justice - CSEAS Hosting/Refactoring	$ -	$ 5,125,000	$ 5,125,000	100.0%
Oregon Health Authority - Behavioral Health Rates	$ -	$ 42,500,000	$ 42,500,000	100.0%
Various - Assist Employers Mitigate HB 4002 Costs	$ -	$ 10,000,000	$ 10,000,000	100.0%
HECC - Oregon Tribal Student Grant	$ -	$ 19,000,000	$ 19,000,000	200.0%
State Forestry Department - Cash Flow	$ -	$ 50,000,000	$ 50,000,000	100.0%
ADMINISTRATION PROGRAM AREA				
Department of Administrative Services				
General Fund	$ 138,577,653	$ 635,144,193	$ 496,566,540	358.3%
General Fund Debt Service	$ 7,891,346	$ 7,828,488	$ (62,858)	-0.8%
Lottery Funds Debt Service	$ 23,398,508	$ 22,975,355	$ (423,153)	-1.8%
Other Funds	$ 805,233,493	$ 843,325,083	$ 38,091,590	4.7%
Other Funds Debt Service	$ 487,488,762	$ 487,974,787	$ 486,025	0.1%
Federal Funds	$ 2,743,799,487	$ 3,201,250,375	$ 457,450,888	16.7%
Advocacy Commissions Office				
General Fund	$ 1,238,100	$ 1,287,673	$ 49,573	4.0%

Budget Summary*

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			$ Change	% Change
Employment Relations Board				
General Fund	$ 3,257,926	$ 3,350,085	$ 92,159	2.8%
Other Funds	$ 2,577,311	$ 2,649,723	$ 72,412	2.8%
Oregon Government Ethics Commission				
Other Funds	$ 3,231,509	$ 3,312,835	$ 81,326	2.5%
Office of the Governor				
General Fund	$ 20,272,170	$ 20,159,078	$ (113,092)	-0.6%
Lottery Funds	$ 4,552,709	$ 4,661,117	$ 108,408	2.4%
Other Funds	$ 4,328,547	$ 4,465,499	$ 136,952	3.2%
Oregon Liquor and Cannabis Commission				
Other Funds	$ 321,006,290	$ 325,695,324	$ 4,689,034	1.5%
Other Funds Capital Improvements	$ 237,745	$ 447,745	$ 210,000	88.3%
Other Funds Debt Service	$ 7,547,093	$ 4,429,567	$ (3,117,526)	-41.3%
Public Employees Retirement System				
General Fund	$ -	$ 17,250,000	$ 17,250,000	100.0%
Lottery Funds	$ 16,792,239	$ 19,461,706	$ 2,669,467	15.9%
Other Funds	$ 146,993,665	$ 167,813,575	$ 20,819,910	14.2%
Oregon Racing Commission				
Other Funds	$ 7,351,396	$ 7,523,592	$ 172,196	2.3%
Department of Revenue				
General Fund	$ 235,958,511	$ 242,956,057	$ 6,997,546	3.0%
General Fund Debt Service	$ 6,579,170	$ 6,507,679	$ (71,491)	-1.1%
Other Funds	$ 154,232,573	$ 156,338,331	$ 2,105,758	1.4%
Secretary of State				
General Fund	$ 18,230,183	$ 18,915,145	$ 684,962	3.8%
Other Funds	$ 75,757,327	$ 79,761,879	$ 4,004,552	5.3%
Federal Funds	$ 5,885,867	$ 10,497,283	$ 4,611,416	78.3%
State Treasurer				
Other Funds	$ 115,832,025	$ 118,930,410	$ 3,098,385	2.7%

Budget Summary*

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			$ Change	% Change
State Library				
General Fund	$ 4,463,754	$ 4,538,886	$ 75,132	1.7%
Other Funds	$ 7,250,105	$ 7,429,467	$ 179,362	2.5%
Federal Funds	$ 7,924,165	$ 7,977,520	$ 53,355	0.7%
CONSUMER AND BUSINESS SERVICES PROGRAM AREA				
State Board of Accountancy				
Other Funds	$ 3,182,967	$ 3,263,399	$ 80,432	2.5%
State Board of Chiropractic Examiners				
Other Funds	$ 2,146,466	$ 2,173,510	$ 27,044	1.3%
Consumer and Business Services				
General Fund	$ 12,464,196	$ 12,557,108	$ 92,912	0.7%
Other Funds	$ 382,343,491	$ 390,652,315	$ 8,308,824	2.2%
Federal Funds	$ 118,285,014	$ 121,930,616	$ 3,645,602	3.1%
Construction Contractors Board				
Other Funds	$ 17,837,162	$ 18,316,626	$ 479,464	2.7%
Oregon Board of Dentistry				
Other Funds	$ 3,768,719	$ 3,859,254	$ 90,535	2.4%
Health Related Licensing Boards				
State Mortuary and Cemetery Board				
Other Funds	$ 2,832,630	$ 2,915,294	$ 82,664	2.9%
Oregon Board of Naturopathic Medicine				
Other Funds	$ 1,060,590	$ 1,079,025	$ 18,435	1.7%
Occupational Therapy Licensing Board				
Other Funds	$ 697,289	$ 707,899	$ 10,610	1.5%
Board of Medical Imaging				
Other Funds	$ 1,206,467	$ 1,435,584	$ 229,117	19.0%

Budget Summary*

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			$ Change	% Change
Health Related Licensing Boards				
State Board of Examiners for Speech-Language Pathology and Audiology				
Other Funds	$ 1,045,357	$ 1,071,713	$ 26,356	2.5%
Oregon State Veterinary Medical Examining Board				
Other Funds	$ 1,337,579	$ 1,379,042	$ 41,463	3.1%
Bureau of Labor and Industries				
General Fund	$ 19,980,422	$ 24,103,037	$ 4,122,615	20.6%
Lottery Funds	$ 261,416	$ 270,809	$ 9,393	3.6%
Other Funds	$ 14,837,959	$ 15,215,452	$ 377,493	2.5%
Federal Funds	$ 1,827,980	$ 1,903,363	$ 75,383	4.1%
Oregon Medical Board				
Other Funds	$ 16,951,813	$ 17,346,295	$ 394,482	2.3%
Oregon State Board of Nursing				
Other Funds	$ 20,961,185	$ 21,455,686	$ 494,501	2.4%
Licensed Social Workers, Board of				
Other Funds	$ 2,212,614	$ 2,271,967	$ 59,353	2.7%
Mental Health Regulatory Agency				
Licensed Professional Counselors and Therapists				
General Fund	$ 300,000	$ 150,000	$ (150,000)	-50.0%
Other Funds	$ 3,225,938	$ 3,319,099	$ 93,161	2.9%
Board of Psychology				
General Fund	$ -	$ 150,000	$ 150,000	100.0%
Other Funds	$ 1,826,338	$ 1,867,328	$ 40,990	2.2%
Board of Pharmacy				
Other Funds	$ 9,463,698	$ 9,691,342	$ 227,644	2.4%
Public Utility Commission				
Other Funds	$ 58,731,094	$ 60,168,396	$ 1,437,302	2.4%
Federal Funds	$ 1,180,926	$ 1,219,585	$ 38,659	3.3%
Real Estate Agency				
Other Funds	$ 9,768,489	$ 10,141,433	$ 372,944	3.8%

Budget Summary*

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			$ Change	% Change
State Board of Tax Practitioners				
Other Funds	$ 1,082,116	$ 1,166,969	$ 84,853	7.8%
ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAM AREA				
Oregon Business Development Department				
General Fund	$ 145,217,061	$ 174,285,313	$ 29,068,252	20.0%
General Fund Debt Service	$ 74,062,166	$ 74,053,211	$ (8,955)	0.0%
Lottery Funds	$ 104,321,731	$ 106,013,902	$ 1,692,171	1.6%
Lottery Funds Debt Service	$ 46,389,741	$ 42,985,875	$ (3,403,866)	-7.3%
Other Funds	$ 1,175,303,763	$ 1,242,542,406	$ 67,238,643	5.7%
Other Funds Debt Service	$ 5,800	$ 3,418,634	$ 3,412,834	58842.0%
Federal Funds	$ 85,432,939	$ 87,293,606	$ 1,860,667	2.2%
Employment Department				
General Fund	$ 47,103,458	$ 48,765,505	$ 1,662,047	3.5%
Other Funds	$ 279,153,141	$ 285,661,087	$ 6,507,946	2.3%
Federal Funds	$ 293,520,514	$ 310,599,469	$ 17,078,955	5.8%
Housing and Community Services Department				
General Fund	$ 532,410,730	$ 839,312,238	$ 306,901,508	57.6%
General Fund Debt Service	$ 69,354,398	$ 69,307,754	$ (46,644)	-0.1%
Other Funds	$ 553,156,031	$ 697,430,464	$ 144,274,433	26.1%
Federal Funds	$ 437,638,180	$ 708,562,652	$ 270,924,472	61.9%
Department of Veterans' Affairs				
General Fund	$ 8,555,498	$ 8,768,706	$ 213,208	2.5%
Lottery Funds	$ 20,592,667	$ 20,827,683	$ 235,016	1.1%
Other Funds	$ 121,247,139	$ 121,680,744	$ 433,605	100.0%
Federal Funds	$ 1,617,844	$ 1,628,594	$ 10,750	0.7%

Budget Summary*

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			$ Change	% Change
EDUCATION PROGRAM AREA				
Department of Education				
General Fund	$ 939,890,390	$ 1,110,429,126	$ 170,538,736	18.1%
General Fund Debt Service	$ 46,948,950	$ 46,715,272	$ (233,678)	-0.5%
Other Funds	$ 2,531,580,539	$ 2,566,161,328	$ 34,580,789	1.4%
Other Funds Debt Service	$ 330	$ 234,015	$ 233,685	70813.6%
Federal Funds	$ 2,943,515,768	$ 2,945,935,878	$ 2,420,110	0.1%
Federal Funds Nonlimited	$ 435,672,830	$ 446,672,830	$ 11,000,000	2.5%
State School Fund				
General Fund	$ 7,988,195,518	$ 7,890,603,299	$ (97,592,219)	-1.2%
Lottery Funds	$ 589,526,746	$ 650,508,965	$ 60,982,219	10.3%
Other Funds	$ 722,277,736	$ 758,887,736	$ 36,610,000	5.1%
Higher Education Coordinating Commission				
General Fund	$ 2,226,708,055	$ 2,339,608,853	$ 112,900,798	5.1%
General Fund Debt Service	$ 264,804,497	$ 263,774,106	$ (1,030,391)	-0.4%
Lottery Funds	$ 78,208,051	$ 95,754,317	$ 17,546,266	22.4%
Other Funds	$ 116,284,794	$ 125,679,996	$ 9,395,202	8.1%
Other Funds Debt Service	$ 37,440,780	$ 39,166,371	$ 1,725,591	4.6%
Federal Funds	$ 130,597,522	$ 131,016,933	$ 419,411	0.3%
Teacher Standards and Practices Commission				
General Fund	$ 998,080	$ 1,053,778	$ 55,698	5.6%
Other Funds	$ 13,946,992	$ 14,202,144	$ 255,152	1.8%
HUMAN SERVICES PROGRAM AREA				
Commission for the Blind				
General Fund	$ 5,658,523	$ 5,788,243	$ 129,720	2.3%
Other Funds	$ 1,079,323	$ 1,083,040	$ 3,717	0.3%
Federal Funds	$ 17,612,064	$ 17,994,237	$ 382,173	2.2%

Budget Summary*

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			$ Change	% Change
Oregon Health Authority				
General Fund	$ 3,441,621,751	$ 3,481,602,420	$ 39,980,669	1.2%
Lottery Funds	$ 18,641,986	$ 18,670,002	$ 28,016	0.2%
Other Funds	$ 9,551,847,790	$ 10,639,914,375	$ 1,088,066,585	11.4%
Federal Funds	$ 16,944,934,468	$ 17,754,548,181	$ 809,613,713	4.8%
Department of Human Services				
General Fund	$ 4,630,103,736	$ 4,746,942,549	$ 116,838,813	2.5%
General Fund Debt Service	$ 24,352,205	$ 23,452,205	$ (900,000)	-3.7%
Other Funds	$ 809,302,663	$ 940,509,829	$ 131,207,166	16.2%
Other Funds Debt Service	$ 1,112,516	$ 2,056,766	$ 944,250	84.9%
Federal Funds	$ 7,071,321,049	$ 7,675,033,823	$ 603,712,774	8.5%
Long Term Care Ombudsman				
General Fund	$ 10,819,492	$ 11,164,278	$ 344,786	3.2%
Other Funds	$ 888,786	$ 1,166,468	$ 277,682	31.2%
Psychiatric Security Review Board				
General Fund	$ 3,934,061	$ 4,082,379	$ 148,318	3.8%
JUDICIAL BRANCH				
Commission on Judicial Fitness and Disability				
General Fund	$ 289,807	$ 330,499	$ 40,692	14.0%
Judicial Department				
General Fund	$ 559,030,250	$ 596,120,710	$37,090,460	6.6%
General Fund Debt Service	$ 26,326,961	$ 26,053,320	$ (273,641)	100.0%
Other Funds	$ 153,108,269	$ 259,672,418	$ 106,564,149	69.6%
Other Funds Debt Service	$ -	$ 274,570	$ 274,570	100.0%
Federal Funds	$ 1,476,446	$ 1,782,035	$ 305,589	20.7%
Public Defense Services Commission				
General Fund	$ 321,184,175	$ 337,439,650	$ 16,255,475	5.1%

Budget Summary*

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			$ Change	% Change
LEGISLATIVE BRANCH				
Legislative Administration Committee				
General Fund	$ 47,407,783	$ 49,342,373	$ 1,934,590	4.1%
Other Funds	$ 6,210,225	$ 10,662,519	$ 4,452,294	71.7%
Legislative Assembly				
General Fund	$ 67,553,243	$ 69,822,774	$ 2,269,531	3.4%
Legislative Counsel				
General Fund	$ 18,148,985	$ 19,023,789	$ 874,804	4.8%
Other Funds	$ 2,145,209	$ 2,206,065	$ 60,856	2.8%
Legislative Fiscal Office				
General Fund	$ 8,375,824	$ 8,629,206	$ 253,382	3.0%
Other Funds	$ 4,875,014	$ 5,029,509	$ 154,495	3.2%
Commission on Indian Services				
General Fund	$ 887,833	$ 914,197	$ 26,364	3.0%
Legislative Policy and Research Office				
General Fund	$ 15,350,800	$ 15,954,335	$ 603,535	3.9%
Legislative Revenue Office				
General Fund	$ 3,395,264	$ 3,534,962	$ 139,698	4.1%
NATURAL RESOURCES PROGRAM AREA				
State Department of Agriculture				
General Fund	$ 77,818,652	$ 78,763,099	$ 944,447	1.2%
Lottery Funds	$ 11,375,039	$ 11,588,227	$ 213,188	1.9%
Other Funds	$ 121,365,433	$ 123,504,515	$ 2,139,082	1.8%
Federal Funds	$ 18,411,423	$ 18,626,329	$ 214,906	1.2%
Columbia River Gorge Commission				
General Fund	$ 1,382,749	$ 1,408,207	$ 25,458	1.8%

Budget Summary*

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			$ Change	% Change
State Department of Energy				
General Fund	$ 70,911,388	$ 75,945,789	$ 5,034,401	7.1%
Other Funds	$ 67,950,612	$ 73,708,453	$ 5,757,841	8.5%
Other Funds Debt Service	$ -	$ 3,500,000	$ 3,500,000	100.0%
Federal Funds	$ 3,123,175	$ 3,234,709	$ 111,534	3.6%
Department of Environmental Quality				
General Fund	$ 69,301,787	$ 102,218,284	$ 32,916,497	47.5%
Lottery Funds	$ 6,038,769	$ 6,263,319	$ 224,550	3.7%
Other Funds	$ 266,829,972	$ 301,838,098	$ 35,008,126	13.1%
Federal Funds	$ 29,556,067	$ 30,134,046	$ 577,979	2.0%
State Department of Fish and Wildlife				
General Fund	$ 44,800,089	$ 61,576,532	$ 16,776,443	37.4%
Lottery Funds	$ 6,768,156	$ 6,886,493	$ 118,337	1.7%
Other Funds Capital Improvements	$ 6,402,801	$ 6,426,491	$ 23,690	0.4%
Other Funds	$ 215,962,881	$ 225,897,524	$ 9,934,643	4.6%
Federal Funds	$ 155,987,857	$ 159,115,898	$ 3,128,041	2.0%
Department of Forestry				
General Fund	$ 151,233,778	$ 200,078,876	$ 48,845,098	32.3%
General Fund Debt Service	$ 16,143,376	$ 16,142,720	$ (656)	0.0%
Other Funds	$ 296,269,460	$ 380,276,552	$ 84,007,092	28.4%
Other Funds Debt Service	$ 636,664	$ 637,324	$ 660	0.1%
Federal Funds	$ 41,395,153	$ 41,779,100	$ 383,947	0.9%
Department of Geology and Mineral Industries				
General Fund	$ 6,339,401	$ 6,444,037	$ 104,636	1.7%
Other Funds	$ 6,689,178	$ 6,753,317	$ 64,139	1.0%
Federal Funds	$ 5,772,087	$ 5,765,844	$ (6,243)	-0.1%
Department of Land Conservation and Development				
General Fund	$ 25,446,798	$ 26,114,458	$ 667,660	2.6%
Other Funds	$ 1,654,793	$ 1,793,345	$ 138,552	8.4%
Federal Funds	$ 6,617,610	$ 6,748,006	$ 130,396	2.0%

Budget Summary*

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			$ Change	% Change
Land Use Board of Appeals				
General Fund	$ 2,590,340	$ 2,686,644	$ 96,304	3.7%
State Marine Board				
Other Funds	$ 30,067,889	$ 31,401,106	$ 1,333,217	4.4%
Federal Funds	$ 6,598,631	$ 6,659,930	$ 61,299	0.9%
Department of Parks and Recreation				
General Fund	$ 316,480	$ 327,774	$ 11,294	3.6%
Lottery Funds	$ 115,754,208	$ 118,007,753	$ 2,253,545	1.9%
Other Funds	$ 125,550,478	$ 127,958,102	$ 2,407,624	1.9%
Federal Funds	$ 22,802,629	$ 22,854,464	$ 51,835	0.2%
Department of State Lands				
General Fund	$ 1,060,000	$ 123,060,000	$ 122,000,000	11509.4%
Other Funds	$ 51,393,568	$ 53,226,664	$ 1,833,096	3.6%
Federal Funds	$ 2,933,955	$ 2,990,902	$ 56,947	1.9%
Water Resources Department				
General Fund	$ 67,616,215	$ 69,089,805	$ 1,473,590	2.2%
Other Funds	$ 125,633,596	$ 125,596,247	$ (37,349)	0.0%
Federal Funds	$ 725,000	$ 737,366	$ 12,366	1.7%
Watershed Enhancement Board				
General Fund	$ 32,047,000	$ 52,526,718	$ 20,479,718	63.9%
Lottery Funds	$ 94,379,136	$ 94,776,334	$ 397,198	0.4%
Other Funds	$ 14,863,984	$ 29,863,984	$ 15,000,000	100.9%
Federal Funds	$ 48,127,768	$ 48,251,444	$ 123,676	0.3%
PUBLIC SAFETY PROGRAM AREA				
Department of Corrections				
General Fund	$ 1,031,811,689	$ 999,177,650	$ (32,634,039)	-3.2%
General Fund Debt Service	$ 105,285,474	$ 105,180,474	$ (105,000)	-0.1%
Other Funds	$ 950,301,340	$ 1,026,632,349	$ 76,331,009	8.0%
Other Funds Debt Service	$ 700,870	$ 805,870	$ 105,000	15.0%

Budget Summary*

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			$ Change	% Change
Oregon Criminal Justice Commission				
General Fund	$ 109,347,638	$ 109,866,484	$ 518,846	0.5%
Other Funds	$ 41,258,537	$ 41,282,847	$ 24,310	0.1%
Federal Funds	$ 5,664,637	$ 5,680,710	$ 16,073	0.3%
District Attorneys and their Deputies				
General Fund	$ 14,783,245	$ 15,155,109	$ 371,864	2.5%
Oregon Department of Emergency Management				
General Fund	$ -	$ 28,654,367	$ 28,654,367	100.0%
General Fund Debt Service	$ -	$ 1,576,705	$ 1,576,705	100.0%
Other Funds	$ -	$ 94,495,733	$ 94,495,733	100.0%
Federal Funds	$ -	$ 702,235,505	$ 702,235,505	100.0%
Department of Justice				
General Fund	$ 144,674,992	$ 176,510,683	$ 31,835,691	22.0%
General Fund Debt Service	$ 8,375,250	$ 8,323,075	$ (52,175)	-0.6%
Other Funds	$ 379,645,656	$ 424,268,659	$ 44,623,003	11.8%
Other Funds Debt Service	$ -	$ 52,430	$ 52,430	100.0%
Federal Funds	$ 185,198,126	$ 187,675,747	$ 2,477,621	1.3%
Oregon Military Department				
General Fund	$ 61,675,578	$ 34,167,336	$ (27,508,242)	-44.6%
General Fund Debt Service	$ 15,070,170	$ 13,493,465	$ (1,576,705)	-10.5%
Other Funds	$ 167,775,209	$ 93,942,602	$ (73,832,607)	-44.0%
Federal Funds	$ 1,134,640,036	$ 434,910,308	$ (699,729,728)	-61.7%
Oregon Board of Parole and Post Prison Supervision				
General Fund	$ 10,635,926	$ 11,629,057	$ 993,131	9.3%
Department of State Police				
General Fund	$ 488,608,037	$ 517,684,229	$ 29,076,192	6.0%
Lottery Funds	$ 11,068,651	$ 11,317,795	$ 249,144	2.3%
Other Funds	$ 194,648,307	$ 196,540,665	$ 1,892,358	1.0%
Federal Funds	$ 13,774,908	$ 16,833,246	$ 3,058,338	22.2%

Budget Summary*

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			$ Change	% Change
Department of Public Safety Standards and Training				
Other Funds	$ 55,369,818	$ 56,806,356	$ 1,436,538	2.6%
Federal Funds	$ 7,776,846	$ 8,018,038	$ 241,192	3.1%
Oregon Youth Authority				
General Fund	$ 247,846,953	$ 256,199,865	$ 8,352,912	3.4%
Other Funds	$ 121,715,872	$ 121,745,017	$ 29,145	0.0%
Federal Funds	$ 36,788,861	$ 37,034,286	$ 245,425	0.7%
TRANSPORTATION PROGRAM AREA				
Department of Aviation				
General Fund	$ -	$ 3,888,794	$ 3,888,794	100.0%
Other Funds	$ 21,207,031	$ 22,452,182	$ 1,245,151	5.9%
Federal Funds	$ 6,419,132	$ 7,065,278	$ 646,146	10.1%
Department of Transportation				
General Fund	$ 17,650,000	$ 54,499,960	$ 36,849,960	208.8%
General Fund Debt Service	$ 18,371,393	$ 18,371,213	$ (180)	0.0%
Lottery Funds Debt Service	$ 121,944,228	$ 121,144,419	$ (799,809)	-0.7%
Other Funds	$ 4,373,184,855	$ 4,440,332,939	$ 67,148,084	1.5%
Other Funds Debt Service	$ 400,357,680	$ 401,157,671	$ 799,991	0.2%
Federal Funds	$ 125,930,118	$ 126,040,626	$ 110,508	0.1%
2021-23 Budget Summary				
General Fund Total	$ 24,649,054,449	$ 26,081,533,008	$ 1,432,478,559	5.8%
General Fund Debt Service Total	$ 683,565,356	$ 680,779,687	$ (2,785,669)	-0.4%
Lottery Funds Total	$ 1,078,281,504	$ 1,165,008,422	$ 86,726,918	8.0%
Lottery Funds Debt Service Total	$ 191,732,477	$ 187,105,649	$ (4,626,828)	-2.4%
Other Funds Total	$ 25,872,060,085	$ 27,959,550,730	$ 2,087,490,645	8.1%
Other Funds Capital Improvements	$ 6,640,546	$ 6,874,236	$ 233,690	3.5%
Other Funds Debt Service Total	$ 935,290,495	$ 943,708,005	$ 8,417,510	0.9%
Federal Funds Total	$ 32,664,814,252	$ 34,851,565,932	$ 2,186,751,680	6.7%
Federal Funds Nonlimited Total	$ 435,672,830	$ 446,672,830	$ 11,000,000	2.5%

* Excludes Capital Construction

Position Summary

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			Change	% Change
ADMINISTRATION PROGRAM AREA				
Department of Administrative Services				
Authorized Positions	971	995	24	2.5%
Full-time Equivalent (FTE) positions	966.72	981.76	15.04	1.6%
Office of the Governor				
Authorized Positions	69	67	(2)	-2.9%
Full-time Equivalent (FTE) positions	68.83	66.05	(2.78)	-4.0%
Oregon Racing Commission				
Authorized Positions	14	15	1	7.1%
Full-time Equivalent (FTE) positions	10.39	10.64	0.25	2.4%
Department of Revenue				
Authorized Positions	1,125	1,127	2	0.2%
Full-time Equivalent (FTE) positions	1,060.21	1,061.21	1.00	0.1%
Secretary of State				
Authorized Positions	232	235	3	1.3%
Full-time Equivalent (FTE) positions	231.08	232.96	1.88	0.8%
CONSUMER AND BUSINESS SERVICES PROGRAM AREA				
Health Related Licensing Boards				
Authorized Positions	23	23	-	0.0%
Full-time Equivalent (FTE) positions	21.90	22.15	0.25	1.1%
Bureau of Labor and Industries				
Authorized Positions	130	141	11	8.5%
Full-time Equivalent (FTE) positions	127.50	133.25	5.75	4.5%
Real Estate Agency				
Authorized Positions	29	30	1	3.4%
Full-time Equivalent (FTE) positions	29.00	29.75	0.75	2.6%

Position Summary

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			Change	% Change
ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAM AREA				
Oregon Business Development Department				
Authorized Positions	158.00	145	5	3.2%
Full-time Equivalent (FTE) positions	156.42	139.68	2.58	1.6%
Employment Department				
Authorized Positions	3,297	3,304	7	0.2%
Full-time Equivalent (FTE) positions	2,248.02	2,253.62	5.60	0.2%
Housing and Community Services				
Authorized Positions	364	439	75	20.6%
Full-time Equivalent (FTE) positions	336.84	383.63	46.79	13.9%
EDUCATION PROGRAM AREA				
Department of Education				
Authorized Positions	772	862	90	11.7%
Full-time Equivalent (FTE) positions	753.23	795.16	41.93	5.6%
HUMAN SERVICES PROGRAM AREA				
Oregon Health Authority				
Authorized Positions	4,770	5,182	412	8.6%
Full-time Equivalent (FTE) positions	4,717.60	5,043.56	325.96	6.9%
Department of Human Services				
Authorized Positions	10,144	10,427	283	2.8%
Full-time Equivalent (FTE) positions	10,034.07	10,259.78	225.71	2.2%

Position Summary

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			Change	% Change
JUDICIAL BRANCH				
Oregon Judicial Department				
Authorized Positions	1,932	1,993	61	3.2%
Full-time Equivalent (FTE) positions	1,888.09	1,919.92	31.83	1.7%
Public Defense Services Commission				
Authorized Positions	108	113	5	4.6%
Full-time Equivalent (FTE) positions	104.72	107.56	2.84	2.7%
LEGISLATIVE BRANCH				
Legislative Administration Committee				
Authorized Positions	80	81	1	1.3%
Full-time Equivalent (FTE) positions	76.96	77.50	0.54	0.7%
NATURAL RESOURCES PROGRAM AREA				
State Department of Agriculture				
Authorized Positions	533	535	2	0.4%
Full-time Equivalent (FTE) positions	406.11	407.17	1.06	0.3%
Department of Environmental Quality				
Authorized Positions	817	820	3	0.4%
Full-time Equivalent (FTE) positions	806.99	808.50	1.51	0.2%
Department of Fish and Wildlife				
Authorized Positions	1,364	1,371	7	0.5%
Full-time Equivalent (FTE) positions	1,169.49	1,172.82	3.33	0.3%

Position Summary

	2021-23 Legislatively Approved Budget	2022 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			Change	% Change
Oregon Watershed Enhancement Board				
Authorized Positions	39	46	7	17.9%
Full-time Equivalent (FTE) positions	37.77	42.57	4.80	12.7%
PUBLIC SAFETY PROGRAM AREA				
Department of Corrections				
Authorized Positions	4,781	4,782	1	0.0%
Full-time Equivalent (FTE) positions	4,688.65	4,688.90	0.25	0.0%
Oregon Department of Emergency Management				
Authorized Positions	-	92	92	100.0%
Full-time Equivalent (FTE) positions	-	46.01	46.01	100.0%
Department of Justice				
Authorized Positions	1,482	1,496	14	0.9%
Full-time Equivalent (FTE) positions	1,463.05	1,465.24	2.19	0.1%
Oregon Military Department				
Authorized Positions	579	487	(92)	-15.9%
Full-time Equivalent (FTE) positions	530.30	484.29	(46.01)	-8.7%
State Board of Parole and Post-Prison Supervision				
Authorized Positions	27	30	3	11.1%
Full-time Equivalent (FTE) positions	27.00	28.50	1.50	5.6%
Department of State Police				
Authorized Positions	1,482	1,502	20	1.3%
Full-time Equivalent (FTE) positions	1,462.14	1,467.89	5.75	0.4%
TRANSPORTATION PROGRAM AREA				
Department of Transportation				
Authorized Positions	4,846	4,858	12	0.2%
Full-time Equivalent (FTE) positions	4,681.19	4,725.11	43.92	0.9%
Department of Aviation				
Authorized Positions	13	16	3	23.1%
Full-time Equivalent (FTE) positions	12.59	14.60	2.01	16.0%

Summary of Revenue Changes

The General Fund appropriations made in HB 5202 are within resources available as projected in the March 2022 economic and revenue forecast by the Department of Administrative Services Office of Economic Analysis. General Fund resources forecasted for the 2021-23 biennium have increased $2.6 billion over the level assumed in the 2021-23 legislatively adopted budget, including $420.1 million from unexpended 2019-21 appropriations reverted to the General Fund.

Summary of Capital Construction Subcommittee Action

HB 5202 is the omnibus budget reconciliation bill for the 2022 legislative session and implements core components of a statewide budget plan that addresses changes in projected revenues and expenditures since the close of the 2021 session. The Subcommittee approved HB 5202 with amendments to reflect budget adjustments described in the subsequent narrative.

Statewide Adjustments

EMPLOYEE COMPENSATION DISTRIBUTION

The Subcommittee approved $199.8 million General Fund in state agencies' budgets for employee compensation increases and pension obligation bond cost adjustments. The General Fund appropriation is expected to cover 100% of statewide cost estimates for compensation and benefit changes agreed to through collective bargaining or other salary agreements; it is almost fully supported by the release of a $198 million special purpose appropriation to the Emergency Board set aside by the 2021 Legislature for this use. In addition to General Fund monies, the compensation adjustments include $4.4 million Lottery Funds, $144.8 million Other Funds, and $69.6 million Federal Funds.

Section 467 of HB 5202 reflects the changes, as described above, for each agency. These adjustments are not addressed in the agency narratives, although they are included in the table at the beginning of the budget report.

OTHER STATEWIDE ADJUSTMENTS

Other statewide actions also include budget adjustments in multiple agencies to apply Other Funds balances generated through excess bond proceeds and interest earnings to debt service. Total net debt service savings are $2.7 million General Fund and $4.6 million Lottery Funds. New Other Funds expenditure limitations for the Department of Justice ($52,430) and the Oregon Judicial Department ($274,570) are established to accommodate the use of fund balances for debt service payments, while existing Other Funds expenditure limitations for a number of other agencies are collectively increased by $7.7 million.

Sections 71, 78, and 466 of HB 5202 reflect the changes, as described above, for each agency. These adjustments are not addressed in the agency narratives, although they are included in the table at the beginning of the budget report.

The Subcommittee approved technical adjustments totaling $6.7 million General Fund for Judicial Branch agencies and $24.4 million General Fund for Legislative Branch agencies to recognize unexpended General Fund by those agencies from the 2019-21 biennium. Both the Judicial Branch and the Legislative Branch are allowed by statute to retain unexpended General Fund appropriations from the previous biennium.

Emergency Board

Emergency Board

As part of the 2021-23 biennium statewide rebalance plan, HB 5202 adjusts the Emergency Board's special purpose appropriations as outlined below; the general purpose emergency fund of $50 million General Fund is not modified.

- Eliminates the special purpose appropriation for state employee compensation changes of $198 million and made General Fund appropriations to various state agencies of $199.8 million for employee compensation changes and related adjustments.
- Eliminates the $20 million special purpose appropriation for compensation changes driven by collective bargaining costs of workers who are not state employees added it to the Department of Human Services' budget for bargained compensation increases.
- Reduces the $10 million General Fund special purpose appropriation for family treatment court programs by $2,065,430; the funding was appropriated to the Oregon Judicial Department, Public Defense Services Commission, and the Department of Human Services.
- Eliminates the $2.5 million special purpose appropriation for implementation of pretrial release modifications authorized under SB 48 (2021) and appropriated the funding to the Oregon Judicial Department for that purpose.
- Reduces the $14 million special purpose appropriation made for fire severity resources by $6,146,267, which corresponds to a General Fund increase for the Department of Forestry in the same amount, to enable the agency to pay severity resource expenses incurred for the 2021 forest fire season. The special purpose appropriation balance of $7,853,733 remains available for future needs this biennium.
- Eliminates the $1 million special purpose appropriation for purposes of the Oregon Conservation and Recreation Fund, which helps support a $5 million General Fund deposit into the Fund.
- Eliminates the $1,807,561 special purpose appropriation created for preparing the Office of the State Fire Marshal to become a separate state agency on July 1, 2023; the funding was provided to the Office and will support 19 positions (5.50 FTE) in the new agency.
- Eliminates the $15,859,656 special purpose appropriation for addressing child welfare-related position needs in the Department of Human Services and appropriated the corresponding amount of General Fund to the Department for this purpose.
- Eliminates the $49 million special purpose appropriation for behavioral health system transformation to support system investments and planned rate increases.
- Reduces the $20 million special purpose appropriation made for addressing staffing issues at the Oregon State Hospital; $10.8 million was provided to the Oregon Health Authority to add staff capacity, with the balance of $9.2 million available for future allocation.

- Reduces, by $3,228,818, the $5.1 million special purpose appropriation made for the creation of the Department of Early Learning and Care. This amount was appropriated to the Department of Education to fund 34 positions (12.38 FTE) and other start-up costs associated with the new agency; the balance of $1,901,447 remains available for allocation later in the biennium.
- Reduces the special purpose appropriation for the natural disaster prevention, preparedness, response, and recovery activities by $25 million to help pay for drought resiliency and preparedness efforts. This leaves the balance at $26.3 million for future allocation.
- Increases, by $45 million, the special purpose appropriation for allocation to the Oregon Health Authority or the Department of Human Services for caseload costs or other budget issues that the agencies are unable to mitigate; the new amount totals $100 million.
- Establishes a special purpose appropriation in the amount of $5,125,000 for allocation to the Department of Justice, Division of Child Support, for the Child Support Enforcement Automated System.
- Establishes a special purpose appropriation in the amount of $19 million to be allocated to the Higher Education Coordinating Commission for an Oregon Tribal Student Grant program.
- Establishes a $10 million special purpose appropriation to be allocated for establishing a grant program, loan program or lending program for the purpose of providing financial assistance to employers to mitigate the costs associated with compliance with the overtime compensation requirements under section 2 of House Bill 4002 (2022).
- Establishes a special purpose appropriation of $50 million for allocation to the Department of Forestry for cash flow needs. The funding is for anticipated operational needs of the agency that may be compromised due to the financing of emergency firefighting costs while awaiting reimbursement of those costs from other sources.
- Establishes a $42.5 million special purpose appropriation for increasing behavioral health provider rates by an average of 30%. The subcommittee approved the following instruction:

  BUDGET NOTE: The $42.5 million special purpose appropriation is intended to increase provider payment rates an average of 30% for behavioral health services under the medical assistance program for the purpose of improving access, maintaining provider networks, increasing wages, and retaining workers. Except to the extent delayed while waiting for approval from the Centers for Medicare and Medicaid Services, OHA shall increase fee-for-service payment rate increases effective no later than July 1, 2022, and all other payment rate increases no later than January 1, 2023. OHA shall propose strategies to measure the extent to which coordinated care organizations (CCOs) pass the rate increases through to behavioral health providers and strategies by which CCOs and OHA will measure the impact of the rate increase on behavioral health provider stability and capacity. OHA shall report these proposed strategies, in addition to an update on rate implementation, at the next meeting of the Emergency Board.

In most cases, if remaining special purpose appropriations are not allocated by the Emergency Board before December 1, 2022, any remaining balances become available for the Emergency Board for general purposes or will be available to the 2023 Legislature for any purpose.

Adjustments to 2021-23 Agency Budgets

ADMINISTRATION

Department of Administrative Services - American Rescue Plan Act (ARPA)

As part of HB Bill 5006 (2021), $240 million in federal American Rescue Plan Act funds were approved for the Department of Administrative Services (DAS) to distribute in each Senate and House district in the amounts of $4 million per Senate district and $2 million per House district, for member-identified projects. After session, a subset of the projects required adjustments to project or descriptions. The Subcommittee approved the following revisions to the 2021 session member ARPA projects:

District	Member	**OLD** Recipient	Amount	**New** Recipient
S-20	Kennemer	Oregon City and Canby Area Chambers of Commerce and Business Recovery Centers	700,000	Oregon City Chamber of Commerce
S-25	Gorsek	Multnomah County	2,220,000	Seeding Justice
S-30	Findley	The Jefferson County Faith Based Network	750,000	City of Madras
H-22	Alonso Leon	Alianza Poder	500,000	Capaces Leadership Institute
H-24	Noble	CARES NW and the Family Justice Center	400,000	Family Justice Center
H-37	Prusak	West Linn Small Business Recovery Center	500,000	Lake Oswego Chamber of Commerce
H-46	Pham	City Repair Project	75,000	ROSE Community Development Corporation
H-50	Ruiz	Participatory Budgeting Oregon	200,000	Seeding Justice
H-60	Owens	Baker County	500,000	City of Unity

District	Member	**OLD** Project Description	Amount	**NEW** Project Description
S-26	Thomsen	Commercial Hangar at Ken Jernstedt Airfield/Anchor Way Multi-modal Street and Transit Improvement Project	500,000	E. Anchor Way/N. 1st St. Industrial Streets and Transit Center
H-1	Smith, DB	Lincoln School of Early Learning	100,000	Winter Lakes High School Teen Pregnant/Parent Center Modular Building
H-24	Grayber	Small Business Grant Program	750,000	McMinnville Business Recovery and Resiliency Program

In addition to these revisions, the Subcommittee also approved Other Funds expenditure limitation, on a one-time basis, for the following state agencies for Senate and House district member ARPA projects approved in HB 5006 (2021) for state agency programs:

- $1,000,000 - Oregon Department of Fish and Wildlife - Oregon Conservation and Recreation Fund, Outdoor Recreation Stimulus (H-34)
- $750,000 - Oregon Department of Human Services - Nonviolent Crisis Intervention Training for Children's Residential Facilities' Staff (S-8)
- $250,000 - Oregon Parks and Recreation Department - Hillsdale to Lake Oswego trail (S-19)
- $1,250,000 - Department of Justice - Domestic Violence and Sexual Assault (DVSA) Housing Navigator (S-21)
- $1,000,000 - Oregon State Marine Board - Abandoned and Derelict Boats (S-21)
- $1,000,000 - Oregon Judicial Department - Modernize OJD electronic access to records (S-22)

The 2022 session budget plan fully allocates the remaining ARPA State Fiscal Recovery Fund and Capital Project Fund balances of $338.1 million and $36.8 million, respectively, for the purpose of expenditures and activities to respond to the COVID-19 public health emergency and its economic impact. Specific expenditures covered by ARPA are described under relevant state agency report sections.

Department of Administrative Services

The Subcommittee approved two Department of Administrative Services (DAS) requests recommended during the January meeting of the Interim Joint Committee on Ways and Means. The first increased Other Funds expenditure limitation by $1,669,855 and authorized the establishment of two permanent full-time positions (1.16 FTE) for the Chief Human Resources Office to support the newly independent Oregon Department of Emergency Management (ODEM) and to address increased statewide training costs. The second increased Other Funds expenditure limitation by $2,127,233 and authorized the establishment of 7 permanent full-time positions (5.46 FTE) and 4 limited duration full-time positions (2.33 FTE), for the Enterprise Goods and Services Division to address the following staffing needs:

- Out-of-State Workforce - $1,344,816 Other Funds, two limited duration payroll positions (1.00 FTE) and six permanent positions (4.58 FTE), to manage work related to payroll for out of state workers, including registering and filing payroll tax exemptions with each state;

and for the DAS Risk Management to identify and address out-of-state exposures, including managing statewide policies, developing multi-state OSHA compliance, reviewing and updating insurance policies, and managing out-of-state workers compensation claims.

- OregonBuys Project - $210,724 Other Funds, one limited duration Project Director (PEM F) position (0.75 FTE), to support Phase 2 of the DAS e-procurement modernization project.
- Reestablish the Division Administrator Position - $421,114 Other Funds, one PEM H position (0.88 FTE), to restore an administrator position to lead the Enterprise Goods and Services Division.
- Temporary Support for New Agencies - $150,579 Other Funds, one limited duration Procurement and Contract Specialist 3 position (0.58 FTE), to provide procurement services for newly independent state agencies (Emergency Management and State Fire Marshal).

To help provide legislators information on compliance within the Oregon Forward program, which is a state-run purchasing program promoting meaningful job opportunities for adults living with disabilities, the Subcommittee approved the following budget note:

> **BUDGET NOTE:** The Oregon Forward program of the Department of Administrative Services will study the compliance of state agencies and local governments of OAR 125-055-0005 through OAR 125-055-0040. The Department shall provide a report to the Legislative Fiscal Office and to the legislative interim committees on Business with recommendations for improved compliance no later than September 30, 2022.

Two technical adjustments were approved to accurately reflect expenditure limitation values for the Office of the State Chief Information Officer and special payments from proceeds of previously issued bonds.

The Subcommittee approved, on a one-time basis, a $4,000,000 General Fund appropriation and an increase of $3,400,000 Other Funds expenditure limitation and for Enterprise Asset Management to purchase and operate additional fleet vehicles to accommodate requests from agencies related to staffing increases for the 2021-23 biennium.

A one-time $3,345,000 General Fund appropriation was approved for the agency's Enterprise Information Services Division to support maintenance and operations of the Enterprise Microsoft 365 system.

The Subcommittee approved $398,139 Federal Funds expenditure limitation for monies from the American Rescue Plan Act State (ARPA) Fiscal Recovery Funds for the Enterprise Information Services Division to enhance the functionality of the agency's Workday human resource information system to support case management and compliance needs.

In addition, the Subcommittee approved $26,323,860 Federal Funds expenditure limitation for monies from the American Rescue Plan Act State (ARPA) Fiscal Recovery Funds for the Enterprise Information Services Division to expend on the following enterprise-wide broadband and cybersecurity investments:

- $7,250,000 to continue the state's partnership with Link Oregon.
- $5,393,046 for contracted services to enhance the efficiency of network security operations, support the integrated risk management program, and maintain Security Operations Center infrastructure.
- $7,230,256 to support the Cyber Security Services (CSS) network security equipment lifecycle replacement plan.
- $3,085,756 to plan the implementation of Microsoft 365 security tools.
- $3,364,802 and the establishment of 11 limited duration positions to support planning efforts for the Network and Security Modernization Program.

A one-time General Fund appropriation of $500,000 was approved for DAS to contract with a third-party organization to assess gender-responsive practices at the Coffee Creek Correctional Facility. The purpose of the assessment is to establish a baseline for a strategic planning process, policy recommendation and improved protection of individuals serving sentences of incarceration at Coffee Creek Correctional Facility. Work on the assessment is anticipated to start by September 1, 2022. DAS and the third-party organization is expected to coordinate with the gender-responsive coordinator in the Governor's Office and include the coordinator in the assessment process.

The assessment is expected to include a review of: (1) intake; (2) placement; (3) risk assessment; (4) case management; (5) mental, behavioral and physical health services; (6) vocational programs; (7) rehabilitation programs; (8) correctional staff; (9) organizational structure; and (10) reentry and transition programing. The assessment should also include whether there are currently in place adequate protections, policies, procedures, oversight and hiring practices to ensure that individuals serving sentences of incarceration at Coffee Creek Correctional Facility are not subjected to sexual assault or sexual harassment and to determine whether the current responses to sexual assault or sexual harassment are gender-responsive, culturally responsive and trauma-informed.

Several one-time General Fund appropriations were also approved by the Subcommittee for the Department to distribute the following entities for the following purposes:

- $120,000,000 for distribution to the Portland Public Schools district for the relocation the Harriet Tubman Middle School.
- $65,000,000 for distribution to the Oregon Worker Relief Fund to provide financial support directly to Oregonians who have lost their jobs but are ineligible for Unemployment Insurance and federal stimulus and safety-net programs due to their immigration status.
- $100,000 for distribution to the Portland Council Navy League of the United States, USS Oregon (SSN 793) Commissioning Committee to support celebration events related to the commissioning ceremony of the USS Oregon (SSN 793) submarine.
- $1,000,000 for distribution to Harmony Academy for program capacity, student transportation, and development of a statewide plan for expansion.
- $10,000,000 for distribution to Metro for trash and sanitation services. Funds are intended to be utilized for trash pick-up, debris clean-up, abandoned vehicle removal, provision of dumpsters and trash bins and related employee/contractor costs associated with voluntary trash collection and mitigation. Funds are not intended to be utilized for activities associated with camp site removal or to backfill city funding.

To support the expansion of access to child care in Oregon, the Subcommittee approved nearly $100 million General Fund on a one-time basis for a variety of programs that bolster and support the child care sector; $39.3 million of this amount was appropriated to DAS to distribute to nonprofit agencies as follows:

- $8.2 million General Fund for NeighborImpact's *Rebuild Childcare* Plan, which will fund child care program expansions and support new child care programs in central Oregon by funding operating expenses, renovation costs, and training and business development plans for child care providers.
- $1.2 million General Fund for Euvalcree's *Rebuild Childcare* Plan, which will fund renovation of the Euvalcree Center in Ontario, Oregon, and will provide training, professional development, and start-up operating costs for an estimated ten new in-home child care providers.
- $7.9 million General Fund for the United We Heal Training Trust's *Rebuild Childcare* Plan, which will fund child care provider capital grants of up to $14,000 for in-home providers and up to $70,000 for child care centers; equipment grants of up to $1,000 per provider; an accounting shared services pilot program; training, coaching, and mentorship for new providers; sub-awards for developing new black, indigenous, people of color (BIPOC)-focused child care centers; and administrative and operating costs.
- $22 million General Fund for Seeding Justice's Capacity Building Grant Fund. $19 million is for grants to culturally specific and other child care providers to become licensed, to expand services, or to start new child care centers; $3 million is for program management costs, including technical assistance for grantees, data collection, evaluation, and reporting.

Please see the Department of Education and the Higher Education Coordinating Commission sections of this report for additional details of this investment to support the expansion of access to child care in Oregon.

Some components of the $400 million housing package flow through the DAS budget; the Subcommittee approved various one-time General Fund appropriations to DAS to distribute to various entities to support community organizations and activities for the purpose of increasing affordable housing supply, and for supporting shelter and homelessness response efforts in specific communities. These include the following:

- $15 million for distribution to the Society of St. Vincent de Paul of Lane County to serve as start-up capital for the creation of Community Housing Provider, a not-for-profit entity. Community Housing Provider will produce manufactured housing for low income buyers and rental housing for not-for-profit entities. It's anticipated the facility could create between 50-60 jobs, significantly reduce wait times for production of housing units, and prioritize delivery for affordable models and for those impacted by wildfires. Funds are expected to enable production of units to begin in 6-12 months.
- $50 million for distribution to the Oregon Community Foundation (OCF), which will in turn make grants by Dec. 31, 2023, for community supported projects to convert motels and other existing structures to shelters and temporary housing throughout the state, following the model of a 2020-21 grant-making process known as Project Turnkey under which OCF vetted grant applicants and proposed sites. OCF's administrative costs for administering Project Turnkey will be covered as part of this appropriation. The Oregon Department of Housing and Community Services plans to prioritize Project Turnkey sites within its funding mechanisms for continuing site operations, which will include program monitoring of operational funds.

- $5 million for distribution to the Hacienda Community Development Corporation to establish a revolving loan fund to serve first-time homebuyers, focusing on homebuyers who are Latino and Black, Indigenous and Persons of Color at 100-120% of area median income; the loan fund will enable Hacienda Community Development Corporation to provide down payment assistance and mortgage insurance to clients that receive housing counseling.
- A combined total of $25 million to local governments for responses to homelessness. Funds are specifically directed to the following entities: Multnomah County ($10 million); Washington County ($750,000); Clackamas County ($2 million); City of Hillsboro ($1 million); City of Beaverton ($750,000); City of Eugene ($5 million); City of Salem ($2.5 million); City of Bend ($1.5 million); and the City of Medford ($1.5 million). Allowable uses of the funds are:
    - Support for temporary emergency shelters, sanctioned camping, safe parking sites, and navigation centers that are low barrier, that have a maximum capacity of 150 people, that are connected to services, and that are voluntary for all individuals who utilize them. Funding can be used for acquisition renovation and operational costs for facilities that meet these criteria, as well as support for residents.
    - Hygiene services including portable toilets, shower trucks, laundry services, storage, washing stations, hygiene supplies and related services to people experiencing homelessness.
    - Outreach services to connect people to shelter, housing, and services.

  Funding may not be used by local governments to backfill existing revenue streams or funds.
- A combined total of $3 million for trash and sanitation expenses for cities outside the Portland Metro area. Funds are intended to be utilized for trash pick-up, debris clean-up, abandoned vehicle removal, provision of dumpsters and trash bins and related employee/contractor costs associated with voluntary trash collection and mitigation. Funds are not intended to be utilized for activities associated with camp site removal or to backfill city funding. Funds are allocated to the following cities: City of Eugene ($750,000); City of Salem ($750,000); City of Bend ($400,000); City of Medford ($350,000); City of Springfield ($250,000); City of Corvallis ($250,000); City of Albany ($250,000).

As part of wildfire recovery efforts, the Subcommittee approved various one-time General Fund appropriations to DAS to distribute to the following entities for the following purposes:

- $85,661 for distribution via the City of Gates to the Gates Rural Fire Protection district to offset the District's revenue losses from the 2020 wildfires.
- $69,722 for distribution via the City of Stayton to the Stayton Rural Fire Protection District to offset the District's revenue losses from the 2020 wildfires.
- $2,534,000 for distribution to the City of Phoenix Public Safety Center.
- $375,000 for distribution to the Eugene Water and Electric Board for the Powder Activated Carbon Water Treatment Improvement Project.

Approval of an additional $13 million in Article XI-Q Bonds authorized in SB 5701 to address the increasing costs of the North Valley Complex (also known as the Wilsonville building) requires Other Funds expenditure limitation of $195,000 for cost of issuance for the bonds.

The Subcommittee approved an increase of $21,307,675 Other Funds expenditure limitation for special payments associated with the disbursement of proceeds from Lottery Bonds approved in SB 5701 to be disbursed to the following grantees:

- $3,048,464 for distribution to the McKenzie River Discovery Center.
- $15,210,747 for distribution to the City of Portland Parks and Recreation for the North Portland Aquatic Center.
- $3,048,464 for distribution to the City of Milton-Freewater for the police and dispatch station.

Various one-time General Fund appropriations to DAS were approved for distribution to the following entities for the following purposes:

1) $5,000,000 for distribution to the Grande Ronde Hospital Foundation for the expansion of the Surgical Center and facilities.
2) $1,300,000 for distribution to the City of Ashland for the Briscoe School Rehabilitation.
3) $2,407,500 for distribution to Marion-Polk Food Share for the AWARE Food Bank.
4) $1,000,000 for distribution to the Farmworker Housing Development Corporation for the Cipriano Ferrell Education Center Renovation.
5) $2,000,000 for distribution to Heart of Oregon Corps Centralized Campus.
6) $6,000,000 for distribution to Eugene Civic Alliance Civic Park.
7) $7,500,000 for distribution to Lane County Fairgrounds Multi-Use Facility.
8) $9,500,000 for distribution to the Central Oregon Intergovernmental Council for the CORE3 (Central OR Ready, Responsive, Resilient) program.
9) $2,000,000 for distribution to the Columbia Gorge Children's Advocacy Center (DBA SafeSpace) for the Child Abuse Assessment Center.
10) $4,000,000 for distribution to the City of Corvallis for Martin Luther King, Jr. (MLK) Park enhancements.
11) $430,000 for distribution to the Prairie City School District #4 for the Bates Building renovation.
12) $113,870 for distribution to the Prairie City Senior Citizens for building renovation.
13) $1,340,213 for distribution to the Kids Club of Harney County to support phase 2 of the Geno's Youth Center.
14) $5,000,000 for distribution to the Oregon Food Bank for the statewide warehouse.
15) $1,926,000 for distribution to the City of Wilsonville for the Transit Center.
16) $36,129 for distribution to the Grant County Senior Citizens Association for the Senior Center flooring and air purification system.
17) $2,000,000 for distribution to the City of Independence to support the 9th Street Lift Station upgrade.
18) $5,450,002 for distribution to the Benton County Crisis Center.
19) $3,300,000 for distribution to the Peace Village to support SquareOne Villages.
20) $165,000 for distribution to the MountianStar Family Relief Nursery to support the La Pine Satellite Location.
21) $5,000,000 for distribution to the Lane County for Emergency Response Functionality.
22) $3,000,000 for distribution to the Health Care Hub of South Deschutes County for the La Pine Community Health Center
23) $2,950,000 for distribution to the Cultivate Initiatives for the Resource Hub and Navigation Center.
24) $1,900,000 for distribution to the City of Salem to support Navigation Center.

25) $1,125,000 for distribution to the Canby Center to support Thriving Together capital improvements.
26) $525,000 for distribution to the City of Monmouth to support the skate Park replacement and recreation Park improvements.
27) $405,000 for distribution to the Wheeler County to support the Glover Hall renovation.
28) $4,590,000 for distribution to the Community Counseling Solutions to support the Northeast Oregon Regional Acute Care Center.
29) $750,000 for distribution to the Newberg School District to support the Old Renne Park improvement.
30) $1,360,000 for distribution to the Harney County Cultural Center for County Fairgrounds.
31) $2,250,000 City of John Day to fund the Grant Union High School roof and the Humbolt Elementary HVAC projects.
32) $350,000 for distribution to the Oasis Village to support transitional housing in Redmond.
33) $3,800,000 for distribution to the City of Aurora for the Aurora Fire District Fire Station.
34) $1,500,000 for distribution to the Salem Housing Authority to support Yaquina Hall.
35) $500,000 for distribution to the Wallowa History Center to support the restoration of the Bear-Sleds Ranger District Compound.

As part of the rural infrastructure package, the Subcommittee approved $2 million Federal Funds expenditure limitation to distribute American Rescue Plan Act (ARPA) Coronavirus State Fiscal Recovery Fund dollars to the Special Districts Association of Oregon Grant Program.

Other rural infrastructure package components budgeted in DAS include various one-time General Fund appropriations for distribution to the following entities for the following purposes:

1) $1,000,000 for distribution to the Ella Curran Food Bank for food bank expansion.
2) $80,000 for distribution to the Benevolent and Protective Order of Elks Independence, Lodge No. 1950 for veterans' outreach.
3) $310,000 for distribution to the Devils Lake Water Improvement District for invasive aquatic vegetation management.
4) $1,000,000 for distribution to the Lincoln City Parks and Recreation for the Regional Sport and Recreation Complex.
5) $576,000 for distribution to the Port of Bandon for High Dock Administrative Offices.
6) $1,140,000 for distribution to the Port of Newport for seawall repair.
7) $70,000 for distribution to the Synapse Fitness Foundation for Executive Director position costs and training for one year.
8) $2,600,000 for distribution to the City of Lebanon for the Park Accessibility Project.
9) $75,000 for distribution to the Colton Rural Fire District for replacement of a water tender chassis.
10) $900,000 for distribution to the City of Aumsville for the new Public Works Facility.
11) $3,000,000 for distribution to the Strategic Economic Development Corporation of the Mid-Willamette Valley for Newberg Workforce Housing.
12) $5,000,000 for distribution to the City of Roseburg for the Southern Oregon Medical Workforce Center.
13) $3,000,000 for distribution to the City of Medford for the Rogue Credit Union Community Complex.
14) $2,000,000 for distribution to the Crook County Fair for fairgrounds infrastructure.
15) $2,000,000 for distribution to the Malheur County Fair for fairgrounds infrastructure.
16) $2,000,000 for distribution to the Harney County Fair for fairgrounds infrastructure.
17) $2,000,000 for distribution to the Grant County Fair for fairgrounds infrastructure.

18) $2,000,000 for distribution to the Baker County Fair for fairgrounds infrastructure.
19) $2,000,000 for distribution to the Lake County Fair for fairgrounds infrastructure.
20) $900,000 for distribution to the South Wasco County School District #1 for the renovation of the South Wasco County High School track facilities.
21) $1,500,000 for distribution to the Mid-Columbia Community Action Council for the Navigation Center.
22) $1,000,000 for distribution to the Union County Fair for fairgrounds infrastructure.
23) $1,000,000 for distribution to the Umatilla County Fair for fairgrounds infrastructure.
24) $1,000,000 for distribution to the Wheeler County Fair for fairgrounds infrastructure.
25) $1,000,000 for distribution to the Wallowa County Fair for fairgrounds infrastructure.
26) $1,000,000 for distribution to the Morrow County Fair for fairgrounds infrastructure.
27) $1,000,000 for distribution to the Sherman County Fair for fairgrounds infrastructure.
28) $1,000,000 for distribution to the Wasco County Fair for fairgrounds infrastructure.
29) $1,000,000 for distribution to the Gilliam County Fair for fairgrounds infrastructure.
30) $1,500,000 for distribution to the Hermiston School District for the Columbia Basin Apprenticeship Training Center.
31) $500,000 for distribution to the Ukiah School District for teacher housing.
32) $250,000 for distribution to Umatilla County for the Umatilla County Road Digitized Pilot Project.
33) $500,000 for distribution to the City of Heppner for the Community Development Fund.
34) $166,666 for distribution to the City of Antelope for the Community Development Fund.
35) $166,666 for distribution to the City of Spray for the Community Development Fund.
36) $166,666 for distribution to the City of Mitchell for the Community Development Fund.
37) $166,666 for distribution to the City of Fossil for the Community Development Fund.
38) $166,666 for distribution to the City of Grass Valley for the Community Development Fund.
39) $166,666 for distribution to the City of Rufus for the Community Development Fund.
40) $166,666 for distribution to the City of Maupin for the Community Development Fund.
41) $166,666 for distribution to the City of Moro for the Community Development Fund.
42) $166,666 for distribution to the City of Wasco for the Community Development Fund.
43) $166,666 for distribution to the City of Tygh Valley for the Community Development Fund.
44) $166,666 for distribution to the City of Condon for the Community Development Fund.
45) $166,666 for distribution to the City of Arlington for the Community Development Fund.
46) $150,000 for distribution to Lane County for the East Gateway construction
47) $250,000 for distribution to Lane County for Phase 1 construction of the South Lane Health Clinic.
48) $1,500,000 for distribution to the City of Oakridge for renovation of the Willamette Activity Center.
49) $250,000 for distribution to the City of Florence to for the Emergency Fuel Station project.
50) $3,600,000 for distribution to Lane County for the Goodpasture Covered Bridge Rehabilitation project.

The Subcommittee approved $309,332,010 Federal Funds expenditure limitation for monies from the American Rescue Plan Act (ARPA) State Fiscal Recovery Funds for expenditures and activities to respond to the COVID-19 public health emergency and its economic impact, including replacing state revenues lost as a result of the COVID-19 public health emergency. An additional $36,795,418 Federal Funds expenditure limitation related to American Rescue Plan Act (ARPA) Capital Projects Funds was added to transfer the monies to the Oregon Business Development Department for deposit in the Broadband Fund for grants to increase broadband internet availability across the state.

The amount of $10,000,000 General Fund was approved for deposit into the Capital Projects Fund established under ORS 276.005 for state facilities security and capital improvements.

The Subcommittee approved $82,495,564 Federal Funds expenditure limitation for expenditures supported by CARES Act Coronavirus Relief Fund. Of the total, $7,779,000 reflects monies provided for COVID-19 pandemic response activities for the Oregon Department of Human Services (ODHS). The remaining $74,716,564 of the total expenditure limitation increase will be transferred to the Department of Corrections for expenditures and activities to respond to the COVID-19 public health emergency.

Office of the Governor

The Subcommittee approved $365,928 General Fund for a Principal Executive Manager G (0.63 FTE) to serve as the corrections ombudsman, which the Governor is required to appoint under ORS 423.400. The current Governor has not appointed anyone to serve as the required corrections ombudsman during their administration. The ombudsman position would provide access to an independent individual with knowledge of the Department of Corrections (DOC) policies and procedures, as well as, the legal and constitutional protections afforded individuals in DOC custody. The duties of the Correction Ombudsman are fully detailed in ORS 423.405 - 423.450.

The Subcommittee approved $199,106 General Fund for a Principal Executive Manager G (0.42 FTE) to serve as a corrections gender-responsive coordinator. It is expectation that the individual chosen to serve as the coordinator will have adequate training on gender-responsive, culturally responsive and trauma informed correctional practices and appropriate standards, policies and practices for individuals serving sentences of incarceration. The position will assist in the assessment of the Coffee Creek Correctional Facility being conducted by the Department of Administrative Services and ensure that those who are incarcerated or formerly incarcerated are able to participate in this assessment process. Work on the DAS study is anticipated to start by September 1, 2021.

The Subcommittee also approved the transfer of the budget for the Office of Immigrant and Refugee Advancement from the Office of the Governor to the Department of Administrative Services (DHS) in compliance with the anticipated passage of SB 1550. The funding for the office was approved during the 2021 session with the passage of SB 778. The Office of the Governor had yet to hire any positions or incurred any expenses related to setting up the new Office, therefore the full previously authorized funding amount of $1,376,037 General Fund and all four positions (3.83 FTE) were removed from the budget for the Office of the Governor and transferred to DHS.

Oregon Liquor and Cannabis Commission

For the Oregon Liquor and Cannabis Commission (OLCC), the Subcommittee approved an Other Funds expenditure limitation increase of $504,000 to continue development of the online beer and wine privilege tax reporting system. System changes will enhance user functionality and increase technical support for stakeholders. Other Funds expenditure limitation in the amount of $210,000 was approved to replace a faulty main sewer line to the agency's existing headquarters building, which was constructed in 1954. Agency staff will remain in this facility until a new headquarters and warehouse facility is constructed, and the basic health and safety infrastructure must be maintained.

An increase in the amount of bonds authorized for issuance for OLCC projects was approved by the Subcommittee, to reflect cost increases in labor, materials, and the price of suitable, buildable acreage along the I-5 corridor. Costs estimates for a new warehouse and headquarters facility, an automated order fulfillment and conveyor system, and modernization of OLCC's information systems were developed in 2018. Since that time, the supply of suitable land has decreased, while labor and material shortages along with inflation have resulted in funding shortfalls for the technology and land/warehouse projects in the 2021-23 biennium. The Bond Authorization bill (SB 5701) includes an additional $5 million in Article XI-Q bonds for the agency's automated conveyor and order fulfillment system, resulting in the need for additional Other Funds expenditure limitation in the amount of $30,000 in HB 5202 to cover cost of issuance. A further $77,917,783 in article XI-Q bonds was approved in the Capital Construction bill for land acquisition and construction of a warehouse/headquarters facility; associated cost of issuance for that bond sale requires additional Other Funds expenditure limitation in HB 5202 of $792,217. Debt service for the 2021-23 biennium will decrease by $3,117,526 because the sale of bonds for the projects will be delayed until the spring of 2023. Bonds, debt service and cost of issuance on these projects will be paid with liquor revenue; these bonds do not count toward the state's bond limit. The following table illustrates the total amount of bonds authorized for each of the projects:

Project Description	2021 Approved Bond Authority	2022 Additional Bond Authority	2021-23 Total
Land Acquisition/Warehouse and Headquarters Facility	$53,170,000	$78,710,000	$131,880,000
Information Technology Systems Modernization	$27,390,000	$ -30,000	$27,360,000
Conveyor and Order Fulfillment System	$10,175,000	$5,030,000	$15,205,000

Public Employees Retirement System

The Subcommittee approved $17.3 million of General Fund, on a time-time basis, for deposit into the Employer Incentive Fund and a supplement increase of $17.5 million in Other Funds expenditure limitation, on a one-time basis, for expenditure from the Employer Incentive Fund into employer side accounts in order to meet the state matching funds requirement under current law.

The Subcommittee approved $2.7 million in supplemental Lottery Funds expenditure limitation (sports betting revenue), on a time-time basis, to reconcile with the Department of Administrative Services - Office of Economic Analysis revenue forecast (March 2022). The

combination of General Fund and forecasted Lottery Funds revenue has been estimated to be sufficient to meet state matching funds requirements to resolve the current waitlist and is expected to add a total of $184 million in side account assets, which includes employer contributions of $148.1 million and state matching funds totaling $36.6 million.

Oregon Racing Commission

A $53,106 Other Funds expenditure limitation increase and one permanent half-time position (0.25 FTE) was approved for the greyhound racing reporting requirements in SB 1504 (2022).

Department of Revenue

A change in the methodology used by the Department of Revenue (DOR) to distribute grant funds to counties associated with lost tax revenue related to the 2020 wildfires was approved. HB 5006 (2021) provided a one-time General Fund appropriation of $23.2 million for DOR to make grants to counties for the reimbursement of lost tax revenue related to the 2020 wildfires. As directed in the budget report to this bill, DOR made the first distribution of $4.8 million to counties in December 2021. Rather than having counties come back annually and attest to their loss as directed in the budget report, a one-time disbursement of the remaining $18.4 million to counties in the same proportion counties received in the first distribution was approved. This approach was approved to maximize use of the funds by providing resources as soon as possible to the impacted counties. The following grants will be provided to counties:

- Clackamas - $446,166
- Douglas - $248,458
- Jackson - $10,803,960
- Klamath - $871,329
- Lane - $2,211,940
- Lincoln - $795,012
- Linn - $275,824
- Marion - $2,732,938

A General Fund appropriation of $326,344 was provided for DOR's Business Division, to administer the Oregon Psilocybin Services Act, which was approved by voters in the 2020 General Election with the passage of Measure 109. The funding supports one permanent full-time Operations and Policy Analyst 3 position (0.50 FTE) and one permanent full-time Administrative Specialist 2 (0.50 FTE) to ensure taxpayer compliance with the Act. The funding also supports Attorney General expenses for legal advice and assistance with appeals or litigation.

One-time General Fund of $400,000 was approved for the Department of Revenue (DOR) for the Electronic Valuation Information System (ELVIS) technology project. This action provides General Fund to cover the taxable portion of the project and frees up a commensurate amount of bond authorization. As a result of this action, an Other Funds expenditure limitation decrease of $435,000, which includes $35,000 for cost of issuance, was included for the decrease in expenditure of Article XI-Q Bond proceeds on the project authorized in SB 5701.

Last year DOR worked with an architect to develop a space plan for the Revenue Building focused on improving the safety and security of taxpayer information and agency operations. The Subcommittee expressed support for the agency's associated funding request, but it was not approved due to wanting some additional details about the project, including the results of a pending seismic assessment. A related budget note was adopted by the Subcommittee:

> **BUDGET NOTE:** The Department of Revenue (DOR), in consultation with the Department of Administrative Services (DAS), is directed to report back to the May Emergency Board on a proposal for security upgrades to the Revenue Building in Salem. The report must include an estimate of costs and proposed building upgrades that are solely related to security at the DAS-owned building. The report must also include the results of DAS's seismic assessment on the building and any capital construction projects identified for the building in DAS' six-year major construction budget plan.

Secretary of State

The Subcommittee approved two budget adjustments for the Corporations Division including a $500,000 Other Funds expenditure limitation increase to accommodate transaction and service fees paid due to the growth in credit card payments. Since the beginning of the COVID-19 public health emergency, the Division has experienced a 26.6% increase in the number of transactions being paid with bank cards. The second budget adjustment is a one-time $194,248 Other Funds expenditure limitation increase for the establishment of two limited duration Public Service Representative 4 positions (1.25 FTE) to reduce customer wait times and increase service levels at the Corporation Division Call Center. The Subcommittee also approved the establishment of one limited duration Archivist 1 position (0.63 FTE) to increase the rate of old legislative records being preserved by the Archives Division through digitization. One limited duration Archivist position was approved as part of the agency's 2021-23 legislatively adopted budget to begin this work, but as the preservation work got underway the records were more deteriorated than initially estimated.

An Elections Division request for a $5,300,000 Federal Funds expenditure limitation increase to pay costs associated with the Oregon Centralized Voter Registration (OCVR) system replacement project was also approved. This project is part of a modernization effort involving the state's centralized voter registration and elections management software. After reviewing requests for proposals, and in consultation with an advisory committee that included local elections representatives, a vendor was selected that recently completed similar projects in Arizona and Washington. The requested amount should be sufficient to pay remaining 2021-23 biennial costs. The project will be completed next biennium. The Subcommittee also approved a fund shift of $327,112 supporting an Operations and Policy Analyst 3 and a Principle Executive Manager D in the Elections Division, which changed position support funding from Help America Vote Act federal funding to the General Fund. This fund shift results in a $327,112 General Fund increase and a $327,112 Federal Funds expenditure limitation decrease. The federal Help America Vote Act (HAVA), which passed in 2002, provided limited federal funding to be used by states to defray the cost of required changes to elections systems and processes made by the law. With this shift, all of the state's remaining HAVA funds are now being used to pay the one-time OCVR replacement project costs instead of supporting ongoing position costs.

HB 5006 (2021) appropriated $2,000,000 General Fund to the Secretary of State for "grants to counties to address county elections offices equipment and technology needs." At the time of passage, no formal plan for these grants had been developed, so the Elections Division worked with the Oregon Association of County Clerks on the best way to distribute the funds. The new plan requires some changes to the previously stated intended uses and therefore requires legislative approval. As such, the Subcommittee approved a new elections improvement plan that includes $120,000 grants for each country, along with new postal barcode scanners for a total cost of $1,160,000; $370,000 of the previously approved General Fund support would be used by the Secretary of State to procure statewide elections services such as public service announcements, search engine optimization, and statewide ballot tracking, which are cheaper for the state to provide centrally rather than having each county attempt to procure their own equivalent services individually. The remaining $470,000 would be held back as contingency funds for potential emerging elections needs. Any contingency monies remaining would be distributed equally among counties at the end of the biennium.

The Subcommittee approved an Administrative Services Division $550,000 Other Funds expenditure limitation increase to replace the agency's aging server room equipment and HVAC units. Approval was also provided to shift the funding supporting two information technology positions in Administrative Services from Help America Vote Act (HAVA) federal funding to Other Funds from agency administrative charges. States are no longer receiving new federal HAVA funds. This fund shift results in a $414,248 Other Funds expenditure limitation increase and a $414,248 Federal Funds expenditure limitation decrease.

State Library of Oregon

After the passage of HB 5017 (2021), the budget bill for the State Library of Oregon, it was discovered that limitation for the agency's non-assessment Other Funds account and assessment Other Funds account were reversed. The Subcommittee approved a net zero technical adjustment to accurately reflect expenditure limitation values for these two accounts.

CONSUMER AND BUSINESS SERVICES

Department of Business and Consumer Services

The Subcommittee approved a $244,807 Other Funds expenditure limitation decrease and a corresponding $244,807 Federal Funds expenditure limitation increase to correct for the funding split of a position in the Building Codes Division. The agency's request to reclassify 17 positions, increase months on two positions, establish two positions, and abolish two positions within four divisions of the Department of Consumer and Business Services was also approved with a net cost of $393,532 Other Funds.

The Subcommittee approved a $2,900,000 Federal Funds expenditure limitation increase and the submission of a federal grant application from the Department to the U.S. Department of Labor for federal Occupational Safety and Health Administration (OSHA). The federal funds provided by the grant will cover COVID-19 related costs that Oregon OSHA is currently paying for with Other Funds, freeing up state funding to pay for Oregon OSHA safety conferences and consultations to underrepresented communities; replacement of lab equipment; public education material for employers; and the continuation of a grant program that provides funds to community organizations for health and safety training.

Health Related Licensing Boards

For the Oregon Board of Medical Imaging, the Subcommittee approved an increase of $202,000 in Other Funds expenditure limitation and authorized an increase of 0.25 FTE to the agency's existing Investigator 2 position, to address increasing investigatory workload, increased board stipends, and other miscellaneous costs.

Bureau of Labor and Industries

The Subcommittee approved an increase of 0.25 FTE on an Office Specialist 2 position as a technical adjustment to correct for its omission during the preparation of the 2021-23 current service level; costs associated with the higher FTE will be covered with existing limitation.

A net-zero adjustment was approved as a technical adjustment between appropriations in appropriated fund 3400. The Wage Security Fund is reduced by $1,836,757 and the Operating Fund is increased by $1,836,757.

A General Fund appropriation of $2,006,730 was approved for the cost of relocating BOLI's main headquarters from the Portland State Office Building to 2525 SW 1st Ave., Portland. An additional $684,500 General Fund was approved for BOLI's Civil Rights Division to address age discrimination in the workplace. The funding goes to hire two permanent full-time positions (1.00 FTE) and to provide communications and research support.

The Subcommittee approved a General Fund appropriation of $173,164 for the Wage and Hour Division's increased wage claim workload. The funding goes to support two permanent full-time bilingual positions (1.00 FTE) for the program. The Division also received authorization for three permanent full-time positions (1.50 FTE) and one reclassification to add enforcement and education capacity to the Division's Prevailing Wage and Administrative Prosecution units. This change has a net-zero Other Funds expenditure impact due from savings related to changes in how prevailing wage rates are set brought on by the passage of SB 493 (2021). The Personal Services cost increase of $269,493 will be offset by a Services & Supplies decrease in Professional Services.

A General Fund appropriation of $509,117 and four permanent full-time positions (2.00 FTE) was approved to enforce wage and hour laws required in HB 4002 (2022). The funding and positions will expand BOLI's Protective Investigation and Enforcement (PIE) unit, within the Wage and Hour Division to meet its education and enforcement responsibilities in the agriculture industry.

Mental Health Regulatory Agency

The Mental Health Regulatory Agency provides administrative and regulatory oversight to two licensing boards that oversee mental health professions, the Board of Psychology and the Board of Licensed Professional Counselors and Therapists. Due to legislative interest in gaining a better understanding of licensee demographics and increasing diversity of the mental health workforce, the Legislative Assembly approved $300,000 General Fund in the agency's 2021-23 legislatively adopted budget for engaging a third party consultant to study the demographics of those individuals licensed by the boards and devise a plan to increase licensee diversity. The agency is to submit a written report on the study and plan to appropriate legislative policy committee(s) no later than December 31, 2022, along with presenting this information in its budget hearings during the 2023 legislative session.

The initial plan was for the agency to evenly split the cost of this study between both licensing boards. However, due to accounting and budget system constraints, the entire $300,000 General Fund was budgeted in the Board of Licensed Professional Counselors and Therapists; HB 5202 includes a technical budget adjustment to split the amount between both boards.

Real Estate Agency

To help plan for and implement a new online licensing and case management system, the Subcommittee approved the establishment of one full-time limited duration position (0.75 FTE) and an increase of $151,083 Other Funds expenditure limitation for the Real Estate Agency. The position's responsibilities include working with the Oregon State Chief Information Office on the Stage-Gate information technology project planning process, drafting the business case, establishing benchmarks for the replacement system, and developing a 2023-25 policy package.

State Board of Tax Practitioners

The State Board of Tax Practitioners licenses and oversees Tax Preparers, Tax Consultants, and tax businesses. The Board's revenues are principally derived from annual licensing and business registration fees. Other sources of revenue include civil penalties, exam applications fees, fines, and interest. The Board collects most of its revenue twice annually, between April 15th and June 15th, and August 15th and October 15th.

The number of licensees and examinees for licensure has been steadily declining over the past few years, particularly over the last 21 months during the COVID-19 pandemic. Between February and November 2021, the number of active licensees decreased by 390, or 11.7 percent. Furthermore, the number of individuals who took a licensing exam during 2021 decreased by approximately 23 percent from 2020.

Based on the November 2021 projections, the Board estimates a biennial shortfall of just over $72,000 in 2021-23. In December 2021, the Interim Joint Committee on Ways and Means recommended approval of the Board's request for fee increases and an expenditure limitation request; the Subcommittee approved these, adding $72,100 Other Funds expenditure limitation.

ECONOMIC AND COMMUNITY DEVELOPMENT

Oregon Business Development Department

An allocation of $18,193,388 American Rescue Plan Act State Fiscal Recovery Funds (Other Funds expenditure limitation) was approved for the Oregon Business Development Department (OBDD) for grants to local governments and other authorized organizations in the following amounts, for the following water related infrastructure projects:

- $160,00 to the City of Garibaldi for a Wastewater Master Plan
- $201,128 to the City of Garibaldi for Smart Water Meters
- $7,000,000 to Hyak Tongue Point, LLC for a 1500 Metric Ton Mobile Lift Project
- $1,150,260 to the City of Reedsport for a Flood reduction resiliency project
- $1,400,000 to the City of Waldport for Wastewater Treatment Plant Disinfection System Improvements
- $2,500,000 to the City of Mill City for Sewer Improvements
- $757,000 to the City of Aumsville for Drinking Water System Improvements
- $2,250,000 to the City of Lafayette for a Reservoir Project
- $2,500,000 to the City of Falls City for a Wastewater Treatment Facility
- $275,000 to the City of Merrill for Water Line Improvements

The Subcommittee approved a $1.5 million General Fund appropriation to the Oregon Business Development Department to provide a grant to the Historic Rivoli Theater Performing Arts Center Restoration Coalition for work on the Rivoli Theater restoration as a part of a package of investments in rural infrastructure.

A General Fund appropriation of $2 million was approved for OBDD to provide grants to local governments to aid in the short and long-term efforts to recover from the recent wildfire seasons was approved for inclusion in the measure. The funding is available for a variety of activities that include, but are not limited to human resources, land use planning, infrastructure planning, FEMA recovery applications, building permit application processing, financial and administrative program support, and translation services.

The Subcommittee approved $6 million General Fund for deposit in the Eastern Oregon Border Economic Development Board Fund along with the establishment of a corresponding $6 million Other Funds expenditure limitation. This will allow OBDD to transfer these monies to a third-party administrator that is under contract with the Board for the purpose of operating grant and loan programs to enhance and expand workforce development or economic development in the region covered by the board.

A General Fund appropriation of $835,000 was approved for distribution to the Crescent Sanitary District. This action was coupled with corresponding reductions in the transfer from the Department of Administrative Services, and the Other Funds expenditure limitation for, American Rescue Plan Coronavirus State Fiscal Recovery Fund monies provided to the Oregon Business Development for distribution to the

Crescent Sanitary District. These actions affected a change in the project funding to allow the Sanitary District to use awarded funding to retire debt associated with the underlying project with no change to the total amount of state support provided.

A reallocation of funding was approved for previously approved and budgeted American Rescue Plan Act Coronavirus State Recovery Fund monies. Other Funds expenditure limitation of $15 million that had been provided to the agency for distribution of ARPA monies to Lincoln County for the Panther Creek Septic and Stormwater project was reduced by $11 million and a new, corresponding $11 million Other Funds expenditure limitation was established to allow the Oregon Business Development Department to distribute the monies to the Panther Creek Water District for regional drinking water quality improvements. Additionally, the City of Sandy - Wastewater Treatment Plant project was renamed: City of Sandy - Wastewater System Improvements.

An increase of $36,795,418 Other Funds expenditure limitation was approved for spending American Rescue Plan Act Capital Projects Funds received by the Oregon Department of Administrative Services and transferred to OBDD for deposit in the Broadband Fund. Fund monies can be used to provide grants or loans through the Oregon Broadband Office, along with covering office administrative costs. Projects eligible for funding those for the planning and development of broadband service infrastructure, digital literacy, digital inclusion, and digital adoption.

The Subcommittee approved a $600,000 General Fund appropriation and the authorization to establish a limited duration position (0.25 FTE) for OBDD to complete a specified number of market analyses in coordination with Oregon market advocates for the following emerging sectors:

- Organic agriculture and organic products
- Cannabis
- Commercial music including performance, manufacturing, distribution and other sales
- Ocean resources and the blue economy
- Live performance (theater, arts, other live events)

The analyses are intended to include, but not be limited to, identifying and discussing policies and actions that may be taken to increase the competitiveness and support the growth of the sector; analysis of the competitive economic strengths and weaknesses of the sector in Oregon; evaluation of revenues that the State of Oregon derives from the sector; indirect and direct economic impacts; demographic details such as race, wage, and geographic distribution; and, as applicable, recommendations for actions to take in response to changes in federal regulations.

> **BUDGET NOTE:** In conjunction with the funding provided to the Oregon Business Development Department to conduct emerging sector statewide market analyses, the Department shall provide a report that includes copies of the specified market analyses and a summary of each to the appropriate legislative committees or interim legislative committees on economic development or recovery no later than March 15, 2023.

A one-time appropriation of $984,000 General Fund was approved for distribution to the City of St. Helens for financial support required to complete a number of activities related to the fill and redevelopment of a portion of the city's wastewater lagoon connecting the city's downtown riverfront district with the city-owned industrial park. The funded activities include a technical feasibility study, critical infrastructure resiliency assessment, and addressing environmental, public health, and community development considerations.

A one-time appropriation of $2 million General Fund was made for distribution to the Portland Japanese Garden was approved. The funding supports the construction of the International Japanese Garden Training Center that supports programs, collaborations, and experiential education for youth and adults. This state support represents roughly eight percent of the total project costs.

The Subcommittee approved a one-time appropriation of $15 million General Fund for distribution to the Oregon International Port of Coos Bay to support the continuation and final completion of the engineering and design work related to the deepening and widening of the Federal Navigation Channel at Coos Bay to support existing businesses and promote new business opportunities.

An increase of $1.5 million Other Funds expenditure limitation was approved for OBDD to spend monies transferred to the Broadband Fund by the Public Utilities Commission. As required by statute, the Commission approved the transfer of this amount, which was of the lesser of $5 million, or that amount in excess of the amount designated by the Commission as necessary to ensure basic telephone service, from the Universal Service Fund. Monies will be used for the planning and development of broadband infrastructure.

Several budgetary adjustments were approved for the Department related to the expenditure of funding that was authorized in the prior biennium but was not fully expended before the end of that biennium. No new funding is being allocated. Adjustments to expenditure limitations for Lottery, Other, and Federal Funds are for fund balances carried forward from prior biennia. The General Fund appropriation mirrors that amount that was appropriated in the prior biennium but reverted to the General Fund at the close of the prior biennium prior to being expended. The individual adjustments include:

- An increase of $283,034 Lottery Funds expenditure limitation in the Infrastructure Program for remaining contractual payments associated with the funding of the Columbia Corridor Drainage Districts Joint Contracting Authority project, Levee Ready Columbia. This action will allow the agency to expend the remaining Lottery Funds balance carried-forward from the prior biennium from the original $500,000 allocation for this project.
- A General Fund appropriation of $89,479 was approved to re-establish funding for the completion of financial support to the Confederated Tribes of the Warm Springs Reservation of Oregon for improvements to the Warm Springs Wastewater Treatment Plant, installation of water meters, and improvements to the water distribution system. Total project costs of $7.8 million were provided in the prior biennium through a $3.58 million General Fund allocation from the Emergency Board and a $4.22 million General Fund appropriation in SB 5723 (2020 2nd Special Session) the amount appropriated in this bill represents the unspent portion of those funds.
- Establishment of a $287,800 Other Funds expenditure limitation for Coronavirus Relief Funds (CRF) to allow the agency to account for expenditures of CRF funds that were not completed in the prior biennium. These expenditures were completed in December of 2021 and

represent residual fund balances from the original $10 million allocation of CRF monies for the Rural Broadband Capacity Program that was made to the agency through Emergency Board action in June of 2020.

- Establishment of a $2,940,041 Other Funds expenditure limitation from the Tide Gate Grant and Loan Fund to allow the agency to expend the residual fund balance remaining in the fund from allocations of $3 million in Lottery Funds that were transferred to the fund in the prior biennium.

Increased expenditure limitation of $1,680,000 Other Funds was approved for the Arts and Cultural Trust to expend monies provided by the Oregon Community Foundation for two programs; $1.5 million of the total supports a grant program to provide relief funding to Oregon artists who have experienced financial hardship during the COVID-19 Pandemic due to cancellations of exhibitions, performances, rehearsals or other activities with a stipend, events, teaching opportunities, book signings, or other professional presentation opportunities. The remaining $180,000 will be distributed to each of the Cultural Trust's 36 County Cultural Coalitions in support of their Cultural Plan, which includes grant awards to cultural nonprofits, artists, and, as applicable, to those populations who have been disproportionately impacted by COVID-19 and for the continued development of programs and services.

The Subcommittee approved $803,500 Federal Funds expenditure limitation for the Arts Program for funding from the National Endowment for the Arts to support nonprofit arts programs and services including the provision of operating support grants and program administration.

Increased Federal Funds expenditure limitation of $1 million, and the authorization to establish a limited-duration statewide recovery coordinator position (0.58 FTE) was approved for the Department to expend anticipated grant monies from the U.S. Department of Commerce, Economic Development Administration. The agency will use approximately half of the funding to create an investment map to guide broadband investment strategy and a broadband planning map. The remaining portion will be used for the implementation of findings and recommendations of the COVID-19 Equitable Economic Recovery Plan currently in development by the agency.

Increased expenditure limitation of $641,475 Lottery Funds and the authorization to establish three permanent, ongoing positions (1.75 FTE) was also approved. These management positions will be established within the Business, Innovation and Trade program and be used in conjunction with organizational adjustments to address program administration capacity, span of control, and program delivery issues.

Employment Department

The Subcommittee approved a $5,176,629 increase in the Employment Department's Federal Funds expenditure limitation to support a grant award for workforce training and job placement services to Southern Oregonians impacted by the 2020 wildfire season and the COVID-19 pandemic. Seven limited duration positions (5.60 FTE) are authorized, as follows:

- Five Business and Employment Specialist 2 (4.00 FTE);
- One Program Analyst 1 (0.80 FTE); and
- One Program Analyst 2 (0.80 FTE).

Housing and Community Services Department

The budget for the Housing and Community Services Department (HCSD) was increased by $46,644 General Fund and General Fund Debt Service for bond-related activities was decreased by a corresponding amount, to correct miscategorized budgeted expenditures. The Subcommittee approved non-recurring General Fund for housing investments for the following amounts and purposes:

- $65 million for preservation and rehabilitation of affordable housing projects. This supplements $100 million approved for this purpose during the 2021 legislative session, and for which associated Other Funds expenditure limitation and position authority was also approved by the Subcommittee (discussed below).
- $10 million for land acquisition on which affordable housing will be built, augmenting a 2021 session investment of $20 million. The funds serve as seed money for revolving low or no interest loans, enabling developers to quickly secure available land for housing projects. The General Fund will be transferred to the Housing Acquisition Fund and spent as Other Funds. Associated Other Funds expenditure limitation was also approved (discussed below).
- $50 million to address cost increases in HCSD-funded developments that have been impacted by supply chain disruption, labor cost increases, tax credit availability, and require additional support to remain viable. This supplements $5 million approved for this purpose during the 2001 legislative session, and for which associated Other Funds expenditure limitation was also approved by the Subcommittee. Funds will be transferred to the General Housing Account, to be used as gap financing. An associated Other Funds expenditure limitation increase is referenced below.
- $35 million for development of smaller scale affordable rental housing. The projects will add an estimated 175 additional units, largely in more rural areas of the state. Associated Other Funds expenditure limitation for these funds was also approved (discussed below).
- $20 million for manufactured housing park acquisition gap financing to supplement available funding for acquisition of manufactured housing parks that are at risk of sale or closure, to prevent displacement of residents. The funds will be utilized as grants rather than loans, and are estimated to preserve an additional five parks, or approximately 300 affordable homes.
- $20 million for development of affordable homes for purchase, to be paired with Local Innovation Fast Track (LIFT) bond proceeds, authorized by Article XI-Q of the Oregon Constitution. Ownership constraints and limited funding make LIFT more difficult to utilize for construction of homes for purchase, but the investment may help to incentivize development in rural areas and allow for greater density in urban areas. The Housing and Community Services Department will seek to transfer these funds to the General Housing Account when specific funding criteria are developed -- perhaps early in 2023 -- and will seek Other Funds expenditure limitation at that time.
- $500,000 for policy development and coordination, along with support for local government planning and response efforts to address homelessness. Funds support the creation of a permanent, full-time policy position (0.58 FTE) within the Housing and Community Services Department to coordinate, analyze, and prioritize homelessness responses between state agencies and local partners, and to support an Interagency Council on Homelessness. Because this is one-time funding, the position will be supported with permanent, ongoing resources in future biennia. In addition to the staff position, resources will support the establishment of the Interagency Council on Homelessness to be managed through the Governor's Office. Approximately $250,000 of this investment will also be used to support

local contracts with Built for Zero, a collaborative service to help communities establish and implement action plans to reduce and eliminate homelessness.

- $15 million for homeowner supports. Funds will provide resources to organizations serving homeowners. Funds may be used for operation capacity, technology and software needs, pandemic-related needs and expenses for Home Ownership Centers and non-profits serving low-income homeowners, for Manufactured Homeowner counseling, and to expand outreach, mediation services and marketing associated with manufactured housing Community Dispute Resolution Centers.
- $80 million for homelessness prevention and response efforts delivered through HCSD programs and community partners. The Department will evaluate the service capacity of its partners to determine the specific amounts for programs and subrecipients. Of the total, $30 million is anticipated to be directed to homeless prevention efforts, though more resources may shift to homeless prevention if homeless service provider capacity does not materialize. Eligible programs for these efforts include the following:

  <u>Homelessness prevention</u>
  - The Oregon Eviction Diversion and Prevention Program, providing flexible resources such as rental and other financial assistance, legal services, navigation, mediation;
  - The Emergency Housing Assistance Program, providing flexible resources for services such as street outreach, emergency shelter, rapid rehousing, and homelessness prevention; and
  - Funding to the Oregon Worker Relief Coalition to provide flexible funds for homelessness assistance and prevention. Funds shall be provided to the Coalition through Seeding Justice through an advance payment.

  <u>Homelessness services</u>
  - Out of the Cold program for shelter support, street outreach, move in costs and short-term rental assistance, provided through Community Action Agencies and culturally based organizations;
  - Supplanting Emergency Solutions Grants – Coronavirus Relief grants to community-based organizations and Community Action Agencies to ensure programs can operate through next shelter season;
  - Shelter support, including operating funds to properties developed through Project Turnkey;
  - Navigation Center funding for operational support or services for the unhoused;
  - Shelter and outreach to tribes and community-based organizations;
  - Services to runaway and homeless youth provided through the Oregon Department of Human Services; and
  - Shelter plus and other medical respite models, including a pilot with Mid-Willamette Valley Community Action Agency.
- $966,262 for a grant to Mid-Willamette Valley Community Action Agency (MWVCAA) for shelter services. The grant will allow MWVCAA to seek reimbursement from the Federal Emergency Management Agency (FEMA) for extraordinary shelter costs related to COVID-19 in 2020-21; MWVCAA will return an equivalent amount of funds granted during the previous biennium, seek FEMA reimbursement for an equivalent amount of shelter costs, and apply the new grant to shelter costs in the current biennium.

The Housing and Community Services Department (HCSD) estimates that while 100% of a one-time $100,000,000 General Fund appropriation included in the 2021-23 legislatively adopted budget for affordable housing preservation is anticipated to be awarded to projects during the 2021-23 biennium, only 10% is anticipated to be spent this biennium. The Subcommittee's approval of an additional General Fund appropriation of $65 million in preservation funding (referenced above, also anticipated to be fully awarded during the current biennium) for affordable housing preservation and rehabilitation projects, enhances the previous investment. Preservation funds will be transferred to the General Housing Account and expended as Other Funds. A total of $52.5 million Other Funds expenditure limitation was approved for expected expenditures in 2021-23, with the remaining $122.5 million associated expected to be sought in the 2023-25 biennium. Two limited duration positions, a Program Analyst 4 (0.58 FTE), and a Loan Specialist 3 (0.58 FTE) were approved to add capacity for project approval and monitoring associated with these new, non-recurring funds.

Other Funds expenditure limitation was approved to facilitate the use of General Fund as seed money for revolving, low or no interest loans in several HCSD programs. Because General Fund cannot be loaned, funds appropriated for land acquisition ($20,000,000 associated with the legislatively adopted budget and an additional $10 million approved during the 2022 legislative session) on which affordable housing will be developed, purchases of naturally occurring affordable housing ($10,000,000), the development of flexible lending products to support home ownership ($10,000,000), acquisition of manufactured housing parks ($4,200,000), and manufactured housing decommissioning, disposal and replacement ($2,800,000) will be transferred to Other Funds. To facilitate the respective programs' anticipated level of lending activities in the remainder of the 2021-23 biennium, Other Funds expenditure limitation was increased by a total of $47 million for these programs, as follows:

- Land acquisition - $30,000,000
- Purchases of naturally occurring affordable housing - $5,000,000
- Flexible lending products - $5,000,000
- Manufactured housing park acquisition (revolving loan fund) - $4,200,000
- Manufactured housing decommissioning, disposal, and replacement - $2,800,000

Additional Other Funds expenditure limitation associated with the General Fund appropriations of $10 million (2021 Legislative Session) and $50 million (2022) to address supply chain, labor and inflationary cost increases was approved, in the amount $35,000,000. Although this gap funding is expected to be fully *committed* in 2021-23, it's expected that only $35,000,000 in project costs will be expended this biennium.

An increase of $17.5 million Other Funds expenditure limitation was approved, associated with the above referenced $35 million General Fund investment for development of affordable homes for purchase, to be paired with LIFT funds. This Other Funds limitation reflects the amount that will be expended on projects in 2021-23, although all $35 million will be committed/awarded before biennium's end; the remaining $17.5 million Other Funds is expected to be expended in 2023-25.

The Subcommittee approved an increase in Federal Funds expenditure limitation in the amount of $1,681,331 for the Housing and Community Services Department to reflect the receipt of a federal grant for housing counseling services. The grant funds support administrative expenses,

program related services including outreach and training, and foreclosure avoidance and financial education services by homeownership centers, with whom the Department contracts for service delivery.

Additional Federal Funds expenditure limitation in the amount of $39,769,368 was also approved for financial assistance to distressed homeowners under the Homeowner Assistance program funded by a $90.9 million award to Oregon under the American Rescue Plan Act. This increase supplements the $32.9 million and 23 positions (19.88 FTE) for the program that was included in the 2021-23 legislatively adopted budget. The balance of the federal award is anticipated to be expended in the 2023-25 biennium. The Congressional purpose of the program is to prevent defaults, foreclosures, and loss of utilities, although Oregon's program will not provide utility assistance. HCSD will open this program in four phases, focusing initial phases on homeowners most at-risk of foreclosure or displacement. Assuming maximum program assistance of $60,000 to every eligible homeowner, the program could serve 1,200 homeowners.

A Federal Funds expenditure limitation increase in the amount of $221,389,595 was approved to reflect federal grant funding received for the second round of Emergency Rental Assistance provided through the American Rescue Plan Act. All the federal funding for emergency rental assistance has been paid, obligated, or requested, and the Department will expend this funding by summer, 2022.

The agency received federal grant funds from the Community Development Block Grant Disaster Recovery grant in the amount of $422,286,000 in November of 2021. Initial program guidance to HCSD became available in February 2022. Funds must be used within six years and are for the purpose of assistance in areas most impacted by the 2020 wildfires, specifically in Clackamas, Douglas, Jackson, Lane, Lincoln and Marion Counties, and a zip code specific to Linn County. The Subcommittee approved Federal Funds expenditure limitation in the amount of $7,368,864. Ten permanent disaster recovery and resiliency management positions (5.71 FTE) were approved, as follows:

- An assistant manager to augment central services accounting management capacity (0.54 FTE);
- A finance manager to oversee financial operations for the new recovery division (0.46 FTE);
- A Chief Compliance and Contracting Officer to ensure compliance with federal regulations (0.67 FTE);
- A Recovery Officer to lead implementation of all recovery and resilience programs (0.58 FTE);
- A policy development lead, to generate recovery action plans and processes (0.58 FTE);
- A program delivery lead, to oversee and manage the acquisition of modular or manufactured housing units, design resiliency measures, and manage contractors and construction efforts;
- An External Affairs Officer, to manage public and community engagement throughout recovery processes; and
- A Business systems and reporting manager, to oversee the division's system of record tracking and managing applications for assistance.

After grant funds are expended, HCSD will utilize Federal Funds and Other Funds revenue to support these positions on a permanent basis, to maintain its ability to respond to future events.

Thirty nine positions are established as limited duration (19.46 FTE), tied specifically to staffing the planning and program development related to this grant, logistics, policies and procedures, and to add agency capacity in central services (such as accounting and procurement). Policy

analysis, regional liaisons, information systems design, loan servicing, construction inspection and management, procurement and contracting, accounting, and human resources expertise are among the activities for which these positions will be responsible.

EDUCATION

Department of Education

SB 222 (2021) clarified who may conduct vision screenings and appropriated $1.5 million General Fund to the Department for deposit in the Vision Health Account (ORS 336.212) to reimburse providers of vision screenings and to pay for program costs. The bill inadvertently omitted the corresponding Other Funds expenditure limitation needed for the Department to make expenditures from the account; to correct this oversight, the Subcommittee approved $1.5 million Other Funds expenditure limitation to reimburse providers and to pay for staffing and other program costs.

To properly account for some of the costs associated with implementing the Department's American Indian/Alaska Native Student Success Plan, $1,503,000 Other Funds expenditure limitation was reduced in the Grant-in-Aid program and increased in the Operations program, for no net change in Other Funds expenditure limitation department-wide. Similarly, to properly account for some of the costs associated with implementing the Department's African American Black Student Success Plan and Safe and Inclusive Schools Program, $643,464 Other Funds expenditure limitation was reduced in the Statewide Equity Initiatives program and increased in the Operations program, for no net change in Other Funds expenditure limitation department-wide.

The Subcommittee approved $5,157,019 Other Funds expenditure limitation on a one-time basis and approved the establishment of ten limited-duration positions (5.80 FTE) to support the design and launch of a comprehensive professional learning system for preschool-through-high school educators, and to increase capacity grants to the ten Regional Educator Networks. The source of one-time funds comes from COVID-19-related underspending in the Educator Advancement Council's grant-in-aid programs during the 2019-21 biennium.

The Department issues over 10,000 grant agreements per biennium with a current procurement staff of ten budgeted positions. Even after prioritizing workload to take into account deadlines for the use of federal funds, cash flow needs of smaller educational services providers, and large-dollar programs that fund multiple programs within school districts, the Department still delays some grant agreements and suspends work on data requests. To address its grant and procurement workload in a more sustainable way, the Subcommittee approved $1,416,158 General Fund and approved the establishment of eleven positions (6.36 FTE): one Principal Executive Manager D, one Operations and Policy Analyst 2, three Procurement and Contract Specialist 1 positions, three Procurement and Contract Specialist 2 positions, and two Procurement and Contract Specialist 3 positions in the Procurement Services unit; and one Accounting Technician 3 in the Fiscal Grants team.

To alleviate supply chain issues experienced by School Food Authorities in Oregon, the Subcommittee approved $11 million nonlimited Federal Funds expenditure limitation to receive and spend U.S. Department of Agriculture Supply Chain Assistance funds. These resources will be

distributed on a formula basis to eligible School Food Authorities to address pandemic-related food services challenges including reduced availability of certain foods, unexpected substitution of certain products, and unpredictable increases in food prices.

Oregon Administrative Rules outline the process for apportioning funds for the High School Success program, including those funds remaining in the High School Graduation and College and Career Readiness Fund at the end of a biennium. The Subcommittee approved Other Funds expenditure limitation of $26,058,151 in order for the Department to apportion this 2019-21 remaining fund balance among all school districts and charter schools in the current biennium.

HB 2166 (2021) created the Early Childhood Suspension and Expulsion Prevention Program and appropriated $5.8 million General Fund to the Department to create and implement the program. To accommodate the way in which the Department's budget is established in the state accounting system, the appropriation was approved to be split between the Operations program and the Grant-in-Aid program, for no net change to the new program's budget.

The Subcommittee approved $150 million General Fund for a summer learning program in the summer of 2022. The program will fund the state's share of a set of one-time initiatives to provide academic learning, enrichment activities, and social-emotional and mental health services for students from kindergarten through grade twelve.

- Summer High School Academic grants will fund programs to enable high school students to make up academic credits needed to stay on track for on-time graduation. A total of $32,857,331 General Fund is available to school districts to provide summer academic programs; this program requires a 25% local match from participating school districts.
- Summer Kindergarten through grade 8 (K-8) Enrichment grants are directed to students in grades kindergarten through 8 for enrichment activities such as dance, art, and outdoor programs; academic learning and readiness supports, such as tutoring or kindergarten transition programs; and social-emotional and mental health services. A total of $66,857,330 General Fund is available for the state's share of the programs, which require a 25% local match from participating school districts.
- Summer Community Activity grants are funded with a one-time grant of $50 million General Fund from the Department of Education to the Oregon Association of Education Service Districts. Grants will be awarded on a competitive basis for new and existing summer enrichment activities such as day camps, park programs, and tutoring for kindergarten through grade 12 students.

- For developing and administering the new school-based grants and for administering the Oregon Association of Education Service Districts grant, the Subcommittee approved $285,339 General Fund and the establishment of two limited-duration positions (1.26 FTE). Administrative responsibilities include developing guidelines and rules, formalizing funding models and application processes, providing technical assistance to school districts and community-based organizations, and grant administration and oversight.

The General Fund appropriation for summer learning programs ends on January 1, 2023. Unspent funds as of that date become available in the General Fund to be legislatively appropriated for other uses.

In January 2022, the Department requested $5.1 million from the special purpose appropriation to the Emergency Board for the creation of the Department of Early Learning and Care (DELC), $650,618 General Fund, and the establishment of 34 positions (12.38 FTE) to continue building the new agency. The Interim Joint Committee on Ways and Means deferred this request to the February 2022 legislative session, during which time more information would be available about changing DELC's statutory start date from January 1, 2023 to July 1, 2023. Changing the agency's start date to July 1, 2023 reduces the Department's funding request by $2.6 million General Fund, as certain costs needed for a partial biennium by both the Department and by DELC will not be incurred. The Subcommittee approved $3,228,818 General Fund and authorized the establishment of 34 positions (12.38 FTE) to continue development of DELC. The special purpose appropriation was reduced by this amount; the remainder is $1,901,447.

In February 2022, the Department requested $4.3 million General Fund and the establishment of 40 positions (18.58 FTE) to complete the staffing plan for the Department of Early Learning and Care. Subsequent evaluation of the implementation plan revealed five positions that will not be needed until the 2023-25 biennium and three accounting positions that are contingent upon the new agency's acquisition of a payment system needed for grant program accounting and payments. After making those changes to the staffing plan, the Subcommittee approved $3,609,588 General Fund and 32 positions (15.50 FTE) for the plan, and directed the Department to return to the Emergency Board in September 2022 with an update on the status of the new grants management system and/or an agreement between DELC and the Department of Education for accounting services. If necessary, the Department can request either the accounting positions or funding for an interagency agreement for accounting services with the funds remaining in the special purpose appropriation for the creation of DELC.

To support the expansion of access to child care in Oregon, the Subcommittee approved nearly $100 million General Fund on a one-time basis for a variety of programs that bolster and support the child care sector. The bulk of this funding ($60.3 million) is appropriated to the Department of Administrative Services for granting to nonprofit agencies and to the Higher Education Coordinating Commission for administering specific programs. Please see the Department of Administrative Services and Higher Education Coordinating Commission sections of this report for a break out of these investments. Other components include $26.6 million General Fund to increase subsidy rates through the Employment Related Day Care program, which is appropriated in HB 4005, and $6.8 million General fund to support the creation of the Department of Early Learning and Care is described above.

To develop a statewide education plan for Native Hawaiian and Pacific Islander students, the Subcommittee approved $237,389 General Fund and authorized the establishment of one Education Specialist 2 position (0.63 FTE) to support the plan's development. The plan will address academic disparities experienced by plan students, disproportionate rates of disciplinary incidents, literacy and numeracy levels of plan students in primary school and will improve educational opportunities and outcomes for plan students. An additional $5 million General Fund was approved to increase the level of funding in the African American Black Student Success grant program.

The Subcommittee approved $2 million General Fund to increase provider wages in the Relief Nurseries program. Salaries for Relief Nurseries staff are nearly 20% lower, on average, than staff salaries in other publicly-funded early childhood programs, making recruitment and retention of qualified staff difficult. Wage parity was also addressed for the Healthy Families Oregon program with a $2 million General Fund appropriation to increase compensation for providers. This increase will begin to address wage levels, pay parity and pay equity issues, and will support recruitment and retention of staff. An additional $122,830 General Fund will backfill behind the loss of Federal Maternal, Infant, and Early Childhood Home Visiting (MIECHV) funding in Tillamook and Jefferson counties.

State School Fund

The Subcommittee approved a reduction of $97,592,219 General Fund, an increase of $60,982,219 Lottery Funds and an increase of $36,610,000 Other Funds from the Fund for Student Success for the State School Fund. This change reflects the final balance of use of available Lottery Funds across the entire state budget as well as the most recent forecast of the Fund for Student Success related revenues. The 2021-23 State School Fund budget total of $9.3 billion is not changed.

Higher Education Coordinating Commission

The Subcommittee approved a one-time Other Fund limitation increase of $1,000,000 to facilitate the pass through of dollars to public university educator preparation programs for the planning, tracking, and reporting on the progress of achieving the state goal that the teacher candidate pool will reflect the linguistic and ethnic diversity of the high school graduating class from which they are recruited. In addition, the Subcommittee approved a one-time Other Fund limitation increase of $3,812,707 for the Higher Education Coordinating Commission (HECC) to collaborate with the Oregon Department of Education (ODE) and Educator Advancement Council (EAC) to award scholarships to culturally and linguistically diverse teacher candidates as part of the Oregon Teachers Scholars Program (OTSP). These funds were appropriated by the legislature to the Oregon Department of Education and Educator Advancement Council (EAC) in the Statewide Education Initiatives Account for these efforts. Although (HECC) was authorized to enter into an interagency agreement with ODE/EAC to distribute funds for the equity plans and to award the scholarships pertaining to OTSP, expenditure limitation was inadvertently omitted in SB 5528 (2021), the primary budget bill for HECC. This corrects the error.

The Subcommittee also approved that the one-time appropriation of $212,241 General Fund to the Higher Education Coordinating Commission Public University State Program Unit in SB 5528 (2021) for distribution to PSU Oregon Solutions to support the Willamette Falls Lock Commission may be expended to support the Willamette Falls Lock Authority for the remainder of the 2021-23 biennium.

The Subcommittee approved a one-time appropriation of $7.5 million General Fund to continue the Strong Start program at the seven public universities for an additional school year. The Strong Start program was designed to mitigate the disruption on students preparing for their post-secondary education during the COVID-19 pandemic. Students from high-poverty or low income communities and schools are significantly less likely to apply for college during this time of uncertainty. With a focus on historically underserved students, Strong Start program elements have included intensive academic supports especially in math and writing, academic advising, note taking skills, time management, early move-in to campus, peer mentoring, tutoring, and financial literacy. As the country begins to exit this pandemic, students graduating from high school

continue to face challenges navigating the path from secondary to postsecondary education. This funding will allow each university to continue individualized programs to meet the specific needs of their students.

The Subcommittee approved a one-time appropriation of $1 million General Fund for statewide public services to support the Oregon State University Extension Service Oregon Bee Project. Another one-time appropriation of $700,000 General Fund approved for the public university statewide programs will support expansion of the University of Oregon College of Education's Oregon Child Abuse Prevalence Study.

The Subcommittee approved an appropriation of $45 million General Fund for the Oregon Health and Science University (OHSU) to support its goal of increasing the number of graduates in key health care professions programs (including nurses, clinical psychologists, physicians, physician assistants, public health leaders, and human nutritionists) by 30% and ensuring that 30% of its learners are from underrepresented populations, by the year 2030. Of the total funding, $20 million annually will be used to expand capacity for ongoing health care education and pathway programs; the remaining one-time funding of $25 million will be used to establish the OHSU Opportunity Fund to provide tuition assistance and loan repayment to learners from underrepresented communities. This $25 million in funding can be distributed by HECC to OHSU at the same rate that OHSU raises corresponding matching funds in gifts, grants and other revenues through philanthropic campaigns.

To support the expansion of access to child care in Oregon, the Subcommittee approved nearly $100 million General Fund on a one-time basis for a variety of programs that bolster and support the child care sector; $21 million of this amount was appropriated to the Higher Education Coordinating Commission (HECC) for Portland State University's Oregon Center for Career Development in Child Care to award two annual $500 recruitment and retention payments to child care providers working in Oregon. Of the $21 million, $18.3 million is available to make grants to providers, and $2.7 million pays for administration and the program's operating costs. Please see the Department of Education and the Department of Administrative Services sections of this report for additional details of this investment to support the expansion of access to childcare in Oregon.

Approval of $30 million in Article XI-Q Bonds to address the increasing costs of public universities capital improvement and renewal requires Other Funds expenditure limitation of $185,000 for cost of issuance for the bonds.

The Subcommittee approved various one-time General Fund appropriations to HECC public university statewide programs as follows:

1) $10,142,845 for distribution to the University of Oregon to purchase scientific equipment for Building 2 of the Phil and Penny Knight Campus for Accelerating Scientific impact.
2) $16,500,000 for distribution to Western Oregon University to support the main steam line replacement project.
3) $6,500,000 for distribution to Oregon State University for the Hatfield Housing project.
4) $4,500,000 for distribution to the University of Oregon to support the Oregon Hazards Lab (OHAZ) Wildfire Camera Network.
5) $350,000 for distribution to Oregon State University for the repair and maintenance of research vessel Pacific Storm.

As part of the rural infrastructure package, the Subcommittee approved various one-time General Fund appropriations to the Higher Education Coordinating Commission for the following purposes:

1) $755,000 for distribution to Southwestern Oregon Community College for a new fire training tower.
2) $577,500 for distribution to Linn-Benton Community College for the Takena Hall elevator.
3) $2,500,000 for distribution to Treasure Valley Community College for the Renewable Energy Apprenticeship and Pre-Apprenticeship Programs.
4) $10,000,000 for distribution to Oregon State University for the Innovation District Landfill Project.
5) $1,000,000 for distribution to Eastern Oregon University for Visual and Performing Scholarship.
6) $250,000 for distribution to Oregon State University for the modernization of the Oregon Agricultural Research Center.

Also, as part of the rural infrastructure package, the Subcommittee approved a $4 million Federal Funds expenditure limitation for monies from the American Rescue Plan Act (ARPA) State Fiscal Recovery Funds for the purpose of transferring to Eastern Oregon University for restoration of the Grand Staircase.

A total of $17,546,266 million Lottery Funds is available to offset an equal amount of General Fund for the Oregon Opportunity Grant program (OOG). Based on the March 2022 forecast, interest earned on the Education Stability Fund for the current biennium increased $5,841,164 over the level projected in the June 2021 forecast. Additionally, the Oregon Growth Board approved a distribution from the Oregon Growth Account (OGA) of $11,705,102 in October 2021. As there is no outstanding debt service for the Oregon Education Fund, this means that interest earnings and OGA distributions are transferred to HECC for the Oregon Opportunity Grant program. This offset leaves the OOG program funded at the same level as the legislatively adopted budget, but with a different funding mix.

HUMAN SERVICES

Oregon Health Authority

HB 5202 adjusts the Oregon Health Authority's (OHA) budget for updated caseload forecasts, revenue changes, and other cost variations to rebalance the agency's budget; HB 5202 also includes several program investments. The table below is a high-level summary of these changes:

Oregon Health Authority 2021-23 Adjustments Approved in HB 5202	General Fund	Lottery Funds	Other Funds	Federal Funds	Total	Positions	FTE
Rebalance	(143,756,587)	-	1,062,366,571	741,461,508	1,660,071,492	125	90.84
Behavioral Health Housing	100,000,000	-	-	-	100,000,000	2	1.26
Oregon State Hospital Staffing	10,810,943	-	-	-	10,810,943	228	188.52
Crisis Stabilization program positions	1,771,190	-	62,859	334,345	2,168,394	10	8.92
Home and Community Based Services	-	-	-	30,263,630	30,263,630	10	6.30
Citizen Waived Medical	5,400,000	-	-	8,800,000	14,200,000	-	-
Medicaid Pospartum Coverage	2,400,746	-	-	6,390,858	8,791,604	-	-
Shared Services - Office of Information Services	983,411	-	1,864,747	273,890	3,122,048	10	6.30
Human Resources and other program support	3,814,761	-	348,439	899,123	5,062,323	25	22.56
Residential rate extension	3,000,000	-	-	9,000,000	12,000,000	-	-
Coronarvirus Relief Fund carryover	-	-	12,400,000	-	12,400,000	-	-
Grant to Seeding Justice	15,000,000	-	-	-	15,000,000	-	-
Healthy Homes Program	5,000,000	-	-	-	5,000,000	-	-
Applied Behavior Analysis rate increase	1,500,000	-	-	2,900,000	4,400,000	-	-
HB 4045 implementation	246,476	-	-	89,898	336,374	2	1.26
Subtotal - Rebalance / Investment Priorities	**6,170,940**	**-**	**1,077,042,616**	**800,413,252**	**1,883,626,808**	**412**	**325.96**
Statewide Salary Distribution	33,809,729	28,016	11,023,969	9,200,461	54,062,175	-	-
Total OHA HB 5202 Adjustments	**39,980,669**	**28,016**	**1,088,066,585**	**809,613,713**	**1,937,688,983**	**412**	**325.96**

Most of the budget rebalance adjustments were identified in a report submitted to the January 12, 2022 meeting of the Interim Joint Committee on Ways and Means. Across the agency, these adjustments result in savings of $143.8 million General Fund, an increase of $1.1 billion Other Funds, an increase of $741.5 million Federal Funds, and 125 additional positions (90.84 FTE). These adjustments are summarized below according to topical area.

OHP Caseload and Revenue

In the Health Systems Division, Oregon Health Plan (OHP) caseload costs of $16.3 million General Fund ($125.4 million total funds) are based on changes between the spring 2021 caseload forecast, which was used to build OHA's 2021-23 legislatively adopted budget (LAB), and the fall 2021 caseload forecast. Cumulative General Fund savings of $122.2 million is recognized from changes in the Medicaid match rate, or Federal Medical Assistance Percentage (FMAP). This includes $32.2 million in General Fund savings from a decrease in the federal fiscal year 2023 FMAP, as well as $90 million from an additional three months of the 6.2 percentage point enhanced FMAP due to the continuation of the federal COVID-19 public health emergency.

Changes in forecasted tobacco tax revenue dedicated to OHP is forecasted to be higher by $37.2 million and community mental health programs by $0.4 million. These changes are based on the difference between the May 2021 state revenue forecast used to develop OHA's 2021-23 LAB and the March 2022 forecast. The increased Other Funds revenue saves a commensurate amount of General Fund in these programs and is largely driven by revenue collections from the new vaping tax and $2.00 per pack tax increase on cigarettes coming in above initial projections. This upward adjustment is not expected to be part of a trend, as the long-term tobacco tax forecast continues to show decreasing revenue.

Savings of $1.6 million General Fund results from changes OHA is making regarding the designation of the Children's Health Insurance Program (CHIP). When CHIP was authorized by Congress in 1998, the Centers for Medicare and Medicaid Services (CMS) allowed states to designate their CHIP services as a separate non-Medicaid program (S-CHIP), which Oregon chose, a Medicaid expansion program (M-CHIP), or a combination of both. OHA has requested CMS approval to switch to the M-CHIP designation effective July 1, 2022. The agency's plan would initially save $1.6 million General Fund based on the ability to leverage increased federal match under M-CHIP for Indian Health Services (100%) and family planning services (90%), as well as additional drug rebate revenue. Also included is an $8.6 million Other Funds increase from hospital tax revenue carried over from 2019-21 for Disproportionate Share Hospital payments. The Other Funds revenue matches $13 million in federal revenue for payment to hospitals serving higher levels of Medicaid and uninsured individuals.

Behavioral Health Positions

The rebalance establishes an additional 77 positions (51.20 FTE) for behavioral health programs, most of which are funded within OHA's existing budget. This includes 54 positions (36.22 FTE) in the Health Systems Division, Health Policy and Analytics Division, Central Services, and Shared Services to support the requirements of HB 2086 (2021), which established behavioral health metrics and accountability parameters for the state's behavioral health system. The 54 positions are supported from $8.5 million in existing General Fund approved in OHA's 2021-23 LAB, as well as $2.2 million Other Funds and $4 million Federal Funds included in this budget rebalance adjustment.

The positions are in addition to 14 related positions already funded in OHA's budget, which results in 68 positions funded in the agency to support HB 2086 metrics and accountability work. The additional positions and related budget adjustments are approved with the understanding OHA will prioritize its budget to fully fund the ongoing behavioral health information system technology project, known as Compass Modernization, with respect to HB 2086.

Additional positions approved for behavioral health programs include the following:

- 12 positions (7.93 FTE) for Ballot Measure 110 drug treatment and recovery program services to manage contracts, assist the Oversight and Accountability Council, and work on data and information system requirements. These positions are funded from Other Funds revenue available from OHA's 4% administrative allotment within the Drug Treatment and Recovery Services Fund.
- Seven positions (4.41 FTE) for OHA to operationalize the $130 million investment included in the agency's 2021-23 LAB for increasing the number of licensed behavioral health residential treatment facility beds across the state. These positions are funded with existing resources from this investment's administrative component and will support the request for proposal and contract management process.
- Three positions (1.89 FTE) in the Health Systems Division to work on co-occurring disorder rates (HB 2086), peer delivered services (HB 2980), and psychiatric residential treatment services (PRTS). The positions for co-occurring disorder rates and PRTS are funded within OHA's existing budget; $191,630 General Fund is included for the peer delivered services position.
- One position (0.75 FTE) in Health Policy and Analytics for administering the new substance use disorder Medicaid waiver approved in spring 2021. This adds to one position approved in the 2021-23 LAB for supporting the waiver.

Given existing strains in the behavioral health system, and considering the increased number of behavioral health positions in the agency, the subcommittee approved the following budget note to ensure unnecessary reporting and other requirements are not being placed on the provider community:

> **BUDGET NOTE:** The Oregon Health Authority (OHA) shall continue exploring ways to streamline behavioral health provider reporting requirements and remove those that are unnecessary. The agency shall present on the outcome of this work during the 2023 legislative session, including the identification of existing reporting requirements; the reporting requirements the agency has reduced, eliminated, or otherwise changed to streamline reporting processes; and the reporting requirements the agency plans to maintain and how these reports are being used. OHA shall also review and present similar information and recommendations on the number of behavioral health advisory workgroups, task forces, or similar temporary or permanent bodies that require behavioral health provider and stakeholder involvement. OHA shall include in its recommendations for both the provider reporting requirements and advisory groups any changes to state law that are necessary to remove unnecessary burdens on behavioral health providers.

Cover All People Administration

The rebalance includes new positions, recognizes contractual expenditures, and transfers existing funds across OHA programs and the Department of Human Services (DHS) to support the agencies' plan for administering the new Cover All People benefit, which takes effect July 1, 2022. The 2021-23 LAB included $100 million General Fund for this program but did not fully define administrative expenses. In total, OHA and DHS will use $16.2 million of the $100 million for program implementation and administration, which includes $10 million for community outreach contracts, $1.9 million and 10 positions (7.50 FTE) for staff in the Community Partnership Outreach Program and Office of Equity and

Inclusion, $1.2 million and five positions (3.83) for additional programmatic support in the Health Systems Division and Health Policy and Analytics, and $3.1 million transferred to DHS for 24 enrollment and eligibility positions.

Psilocybin Program

For this relatively new program, $4.1 million in one-time General Fund and 10 positions are included to fund the second year of costs for the Psilocybin Program established by Ballot Measure 109 (2020). This increase is in addition to first year funding of $2.2 million General Fund and 14 positions in the 2021-23 LAB. Program services take effect January 1, 2023, at which time it will start collecting Other Funds revenue from licensing fees and tax revenue from the sale of psilocybin products.

Oregon State Hospital

The rebalance includes seven positions (4.69 FTE), along with a General Fund decrease of $949,211 and a Federal Funds increase of $1.6 million in the Oregon State Hospital. The General Fund savings is driven by the transition of the per diem billing model at the Pendleton Cottage to a fee-for-service model, which will leverage more federal match. The hospital will use part of this savings to establish three positions to support the billing and documentation process of this new model. An additional four positions are included for various support functions at the Salem campus. These positions are funded within existing resources by shifting costs from related contractual services. A cost shift of $1.1 million from Federal Funds to General Fund is also included based on a reduction in the hospital's federal Disproportionate Share Hospital payment allotment, which is determined and funded separately for state psychiatric hospitals than it is for other hospitals.

Expenditure Limitation and Technical Adjustments

The budget includes various increases to expenditure limitations, with the following representing the major increases:

- $982 million Other Funds in the Public Health Division for reimbursement from the Federal Emergency Management Agency transferred to OHA from the Oregon Office of Emergency Management for nurse and other staffing contracts, COVID-19 community support, testing kits, and vaccine distribution costs.
- $408.5 million Federal Funds in the Public Health Division to support the state's response to the COVID-19 pandemic, including for laboratory costs, vaccine administration and distribution, testing, contact tracing, and isolation services, among other expenses. This funding represents supplemental awards to existing grant programs funded by the Centers for Disease Control and Prevention and was reported to the Interim Joint Committee on Ways and Means in November 2021.
- $40.9 million Federal Funds for Mental Health and Substance Abuse Prevention and Treatment block grants based on supplemental awards from the American Rescue Plan Act.
- $37 million Federal Funds to reflect the federal match already leveraged by General Fund in OHA's budget for increasing reimbursement rates for services treating people with behavioral health co-occurring disorders.
- $27.5 million Other Funds in the Public Employees' Benefit Board and Oregon Educators Benefit Board for various adjustments, including one-time transitional costs related to using one actuarial consultant for both programs instead of two; payment of claims under the new

part-time higher education faculty health insurance program established in SB 551 (2021); costs associated with the benefit system replacement project; and information technology professional services.

- $500,000 Federal Funds to support the State Marketplace Modernization grant awarded to OHA. The agency requested and received approval to apply for this grant by the Interim Joint Committee on Ways and Means in September 2021.

The rebalance also includes various small adjustments to expenditure limitations and position counts, as well as net-zero transfers across agency programs.

The measure includes several investments and adjustments outside of budget rebalance actions. Most of these represent decisions on proposals OHA presented to the January 2022 meeting of the Interim Joint Committee on Ways and Means, as well as those presented to the Joint Ways and Means Subcommittee on Human Services during the February 2022 legislative session. The information below summarizes these changes.

Behavioral Health Housing

To expand the availability of housing and residential treatment beds for people with behavioral health issues, the bill appropriates $100 million in one-time General Fund in the Health Systems Division for distribution to community mental health programs (CMHP) and related administrative support in OHA. The goals of this funding are to provide an array of supported housing and residential treatment, relieve bottlenecks in the continuum of care, and address health inequities and housing access disparities, among others. The funds will be used to repurpose or build new secure residential treatment facilities, residential treatment homes, and other types of necessary housing; support operational and administrative expenses related to managing housing; provide supportive services; pay for planning, coordination, siting, and purchasing buildings or land; provide subsidies for short-term shelter beds and long-term stable rental assistance; and support outreach and engagement. The distribution of the funds are expected to be made via formula through CMHP contracts and include input from community members. OHA and CMHPs will work together to define accountability measures and reporting requirements to track progress.
Supported within the appropriation are two limited duration positions (1.26 FTE), including one Operations and Policy Analyst 4 and one Operations and Policy Analyst 3 position to administer the coordination of this work and provide technical assistance.

Oregon State Hospital Staffing

Consistent with instruction provided in a budget note approved for HB 5024 (2021), OHA submitted recommendations for resolving staffing shortfalls at the Oregon State Hospital in November 2021. To advance the initial stage of the plan, the budget includes $10.8 million General Fund and 228 positions (188.52 FTE). These positions include the conversion of 134 existing non-budgeted limited duration nursing staff positions to permanent full time. The remaining 94 positions include 55 from direct care classifications, including Licensed Practical Nurses, Registered Nurses, Mental Health Therapy Technicians, and Mental Health Therapist 2 positions; two Nurse Managers; 10 Mental Health Security Technicians; and 27 from clinical and other functions at the Salem and Junction City campuses. The positions and funding represent the first stage of hiring the agency presented at the January 12, 2022 meeting of the Interim Joint Committee on Ways and Means and subsequently updated to reflect hiring effective May 1, 2022.

The funding for these positions is available by disappropriating $10.8 million of the $20 million related special purpose appropriation to the Emergency Board established in HB 5024 (2021). In light of existing vacancies at the hospital, this investment was approved with the understanding OHA will submit monthly updates to the Legislative Fiscal Office and Department of Administrative Services Chief Financial Office identifying the number of direct care staffing hires, vacancies, overtime usage (including voluntary and mandatory), and contracted direct care staffing levels. The investment is also approved with the understanding the Oregon State Hospital will collect and report information from exit interviews for direct care staff to inform funding requests for subsequent stages of hiring.

Crisis Stabilization Services

HB 2417 (2021) required OHA to establish a statewide coordinated crisis services system consistent with the National Suicide Hotline Designation Act of 2020. This bill appropriated $5 million for the crisis hotline center and $10 million to distribute to counties to establish and maintain mobile crisis intervention teams. OHA has also received federal grant awards for program planning and to build local crisis center capacity. HB 5202 includes $1.8 million General Fund ($2.2 million total funds) and 10 positions (8.92 FTE) for ongoing agency operations will support implementation and oversight of the crisis system envisioned by HB 2417; the development of standards for statewide mobile crisis teams and crisis stabilization centers; development of Medicaid reimbursement opportunities; and business information system and financial management support. The positions and funding are consistent with the agency's corresponding proposal to the January 2022 meeting of Interim Joint Committee on Ways and Means.

Citizen Waived Medical/Postpartum Coverage

The budget for Health Systems Division includes $5.4 million General Fund and $8.8 million Federal Funds to expand Citizen Waived Medical services, which provides limited emergency care coverage for individuals who meet Medicaid eligibility requirements except for their immigration status. The expanded benefit provides coverage for eligible members' presenting symptoms in an emergency department as opposed to the final diagnoses. This reduces the number of individuals whose claims are denied when they seek treatment in good faith and makes available to them more emergency behavioral health services and cancer treatment. An additional $2.4 million General Fund and $6.4 million Federal Funds is included to expand the duration of Medicaid coverage for postpartum services from two months to 12. The expansion of these services became available to states for five years under the American Rescue Plan Act of 2021.

Residential Treatment Rates

Increases of $3 million General Fund and $9 million Federal Funds are included in the Health Systems Division to extend a one-time 10% rate increase to behavioral health residential treatment providers. This rate increase was first approved in 2019-21 and is retroactive from July 1, 2021 through December 31, 2021.

Coronavirus Relief Fund Carryover

In the Health Systems Division, the budget uses $12.4 million in federal Coronavirus Relief Funds unspent by the agency in 2019-21 to pay for one-time expenses related to the agency's response to the COVID-19 pandemic. These expenses include $3 million for vaccine incentives and lottery payments, which were announced in summer 2021; $9 million for incentives; largely hiring and retention bonuses, for the behavioral

health workforce; and $0.4 million for health equity grants. These funds were transferred to OHA from the Department of Administrative Services and are budgeted as Other Funds.

Home and Community Based Services (HCBS)

An additional $30.3 million Federal Funds and 10 limited duration positions (6.30 FTE) are included to support OHA's spending plan for temporary enhanced federal funds for state Medicaid spending on home and community-based services. The enhanced federal match, which represents a 10% increase, is available under the American Rescue Plan Act (ARPA) for the period April 1, 2021 through March 31, 2022. Since the intent is to advance the service delivery system rather than provide state fiscal relief, ARPA also requires states to use state monies equivalent to the amount of the 10% FMAP increase to fund activities to enhance, expand or strengthen Medicaid home and community-based services. The spending plan funded under this action is consistent with the plan presented by both OHA and the Department of Human Services to the January 2022 meeting of the Interim Joint Committee on Ways and Means.

Administrative and Shared Services Positions

The bill includes $3.8 million General Fund ($5.1 million total funds) for 25 positions (22.56 FTE) to support multiple administrative and programmatic functions across the agency. The positions include 19 for human resources functions, including 10 for recruitment and retention, seven for classification and compensation reviews, and two for labor relations. The remaining six positions are for expanded work directed by the agency's Chief Financial Officer, a health equity manager and three limited duration positions in Health Policy and Analytics, and one position in the Public Health Division's federally funded Injury and Violence Prevention Program. The three limited duration positions in Health Policy and Analytics are funded with vacancy savings transferred from the Central Services Division and will work on a stopgap data repository for the implementation of HB 3159 (2021).

An additional $983,411 million General Fund ($3.1 million total funds) and 10 positions (6.30 FTE) are included for the Office of Information Services, which is a shared administrative service supporting both OHA and the Department of Human Services. The positions are included to address increasing project demands and the need to decrease wait times for projects to start.

Other Adjustments

The measure also includes the following additional investments in OHA:

- $15 million in one-time General Fund for distribution to Seeding Justice for advancing reproductive health equity.
- $5 million General Fund in the Public Health Division to increase support for the Healthy Homes program established in HB 2842 (2021). This program provides grants to repair and rehabilitate residences for low income households and landlords with low-income tenants.
- $1.5 million General Fund and $2.9 million Federal Funds in the Health Systems Division to increase specific applied behavior analysis fee-for-service and coordinated care rates for behavior treatment with protocol and family behavior treatment guidance.

- $246,476 General Fund and $89,898 Federal Funds to support two positions (1.26 FTE) in the Health Systems Division and Public Health Division. These positions, both of which are Operations and Policy Analyst 3 positions, will support OHA's role in implementing the community violence prevention grant program established by HB 4045 (2022).

Department of Human Services

HB 5202 adjusts the Oregon Department of Human Services (ODHS) budget for updated caseload forecasts, and other cost variations to rebalance the agency's budget. The measure also includes several program investments. The following table provides a high-level summary of these changes:

Oregon Department of Human Services **2021-23 Adjustments Approved in HB 5202**	**General Fund**	**Other Funds**	**Federal Funds**	**Total**	**Positions**	**FTE**
Rebalance	(38,180,746)	109,162,858	(6,979,581)	64,002,531	71	45.60
Vocational Rehabilition Rate Increase	-	3,600,000	-	3,600,000	4	2.52
Non-State Employee Compensation Changes	20,000,000	-	38,151,574	58,151,574	-	-
Home/Community-Based Services Investments	-	-	435,570,077	435,570,077	95	80.35
Worker Incentive Payment	1,525,311	7,779,000	2,320,172	11,624,483	-	-
Child Welfare Positions	15,859,680	1,007,800	9,473,622	26,341,102	99	87.12
TANF Transformation	1,005,329	-	25,101,484	26,106,813	1	0.63
Shared Services - Information, Financial, Audit Services	1,239,601	1,209,950	719,075	3,168,626	8	5.16
Staffing Agency Contract	9,200,000	-	-	9,200,000	-	-
ARPA - Child Welfare Training Project	-	750,000	-	750,000	-	-
Emergency Food Supply Stabilization	3,000,000	-	-	3,000,000	-	-
Treatment Foster Care Services	250,000	-	-	250,000	-	-
Long Term Care Rates	47,767,994	-	66,925,934	114,693,928	-	-
2-1-1 Information Services Expansion	1,000,000	-	-	1,000,000	-	-
Family Treatment Courts	1,106,974	-	-	1,106,974	1	0.50
Office of Immigrant and Refugee Advancement	1,376,037	-	-	1,376,037	4	3.83
Subtotal - Rebalance/Investment Priorities	**65,150,180**	**123,509,608**	**571,282,357**	**759,942,145**	**283**	**225.71**
Statewide Salary Distribution	51,688,633	7,697,558	32,430,417	91,816,608	-	-
Debt Service Adjustments	(900,000)	944,250	-	44,250	-	-
Total DHS HB 5202 Adjustments	**115,938,813**	**132,151,416**	**603,712,774**	**851,803,003**	**283**	**225.71**

Vocational Rehabilitation Rate Parity

The Subcommittee approved $3.6 million Other Funds expenditure limitation on an ongoing basis for the Oregon Department of Human Services to increase provider rates for Vocational Rehabilitation (VR) employment services. Effective July 1, 2022, VR rates for employment services will increase to match the Office of Developmental Disabilities Services rates for employment services. The increase will be supported through the 2023-25 biennium using an accumulated balance in the Youth Transitions program. Beginning in 2025-27, General Fund would be needed to cover the ongoing cost. As part of this package, four permanent, full-time Program Analyst 2 positions (2.52 FTE) were authorized to conduct outreach and provide technical assistance to current and prospective employers at a total cost of $503,528, including $468,808 for personal services, and $34,720 for services and supplies. In the current biennium, these costs are covered using repurposed General Fund savings of $251,768 and existing Federal Funds limitation of $251,760.

Non-State Employee Compensation Changes

The Subcommittee approved a $20 million General Fund appropriation ($58.2 million total funds) to the Oregon Department of Human Services to support the cost of collective bargaining agreements for non-state workers. This covers a workforce of more than 39,000 adult foster home providers, personal support workers, and home care workers who collectively serve an estimated 31,000 Oregonians monthly. Personal Support Workers care for clients in the Intellectual and Developmental Disabilities program. Home Care Workers serve clients in the Aging and People with Disabilities program. There is a corresponding decrease of $20 million General Fund to the special purpose appropriation established by HB 5006 (2021) to cover the cost of non-state employee compensation changes.

Home and Community-Based Services Investments

The Subcommittee approved $435.6 million Federal Funds expenditure limitation and 95 limited-duration positions at the Oregon Department of Human Services to implement various investments in Medicaid home and community-based services (HCBS) funded by one-time enhanced federal funds authorized in the American Rescue Plan Act. This includes investments in the HCBS program infrastructure, workforce, and consumer and provider benefits. At ODHS, HCBS services are primarily administered by the Intellectual and Developmental Disabilities (I-DD) and Aging and People with Disabilities (APD) programs. This package includes $251.8 million Federal Funds and 57 limited-duration positions (50.17 FTE) for the I-DD program, and $183.8 million Federal Funds and 38 limited-duration positions (30.19 FE) for the APD program.

Employee Incentive Payments

The Subcommittee approved $1.5 million General Fund ($11.6 million total funds) for the Oregon Department of Human Services to fund retention incentive payments for direct care workers in nursing facilities, child and adult group homes, and the Stabilization and Crisis Unit. Specifically, these dollars are provided to fund: (1) a one-time $500 bonus for eligible staff working in group homes and nursing facilities during the period October 8, 2020 through November 15, 2021; and, (2) a temporary pay raise lasting through January 31, 2022 for Stabilization and Crisis Unit (SACU) employees who provide direct resident care. In addition to General Fund dollars, this package includes $7.8 million in Other Funds expenditure limitation for use of Coronavirus Relief Fund monies to be transferred to DHS from the Oregon Department of Administrative services, and $2.3 million in Federal Funds expenditure limitation.

Child Welfare Positions

The Subcommittee approved an increase of $15.9 million General Fund ($26.3 million total funds) and 99 permanent positions (87.12 FTE) for the Oregon Department of Human Services to address non-budgeted positions in the Child Welfare program and in other areas of the department that support the Child Welfare program. This includes $10.9 million General Fund and 59 positions (51.92 FTE) in the Child Welfare program, $4.4 million General Fund and 34 positions (29.92 FTE) in Central Services, and 0.5 million General Fund and six positions (5.28 FTE) in State Assessment and Enterprise-wide Costs for child-welfare related work. There is a corresponding decrease of $15.9 million General Fund to the special purpose appropriation established by SB 5529 (2021) to cover the cost of these positions.

Behavior Rehabilitation Services

The Subcommittee approved a joint request from the Oregon Department of Human Services and the Oregon Youth Authority to repurpose $7.7 million in General Fund savings ($12.9 million total funds) resulting from lower than budgeted utilization in the Behavior Rehabilitation Services (BRS) program to support systems of care for children and families, including $3 million General Fund on a one-time basis for supplemental payments to BRS providers and other contracted community-based providers experiencing COVID outbreaks and quarantines, effective November 1, 2021 through June 31, 2023; and, $4.7 million General Fund on a one-time basis to reserve bed capacity, effective November 1, 2021 through June 31, 2023.

Treatment Foster Care Services

The Subcommittee approved a one-time increase of $250,000 General Fund in the Oregon Department of Human Services budget to support contracts for technical assistance in the development of culturally responsive behavioral health treatment foster care services, a new type of care -- piloted through a funding allocation from the 2019 legislative session -- that leverages Behavior Rehabilitation Services and Community Based Behavioral Health Services through the Oregon Health Authority and Coordinated Care Organizations. This initiative is intended to provide whole-child care for children with psychiatric needs within a familial setting.

Temporary Assistance to Needy Families

The Subcommittee approved an increase of $1 million General Fund and $25.1 million Federal Funds expenditure limitation for the Oregon Department of Human Services' Self-Sufficiency program to implement changes to Temporary Assistance to Needy Families (TANF) eligibility and cash benefits and to expand access to contracted Family Supports and Connections services. The package includes:

- $63,650 General Fund ($0.3 million total funds) to increase the TANF resource limit from $2,500 to $10,000, allowing families to retain more of their resources and still qualify for cash assistance.
- $0.9 million General Fund ($4.5 million total funds) to end full-family disqualifications. This will allow the Self-Sufficiency program to assign 75% of the monthly cash grant to the dependent child in the assistance unit, preserving family income support for the children.
- $13.8 million Federal Funds expenditure limitation to implement a clothing allowance benefit that will provide TANF participants three $270 clothing allowances per year -- in the fall, winter, and summer.

- $7.3 million Federal Funds expenditure limitation to expand access to Family Supports and Connections services focused on child abuse and neglect prevention strategies, such as home visits, parental training, and coping skills, which have been shown to reduce reliance on child welfare services. Of the total, $7 million is to be used to expand access to these services to more than 4,800 TANF and SNAP families, $330,000 is to be used to expand the availability of culturally responsive services through the Cultural Enhancement Project, and $17,700 is to expand Parent Voice, which provides compensation to parents to facilitate their participation in the program design process and support ongoing parental engagement in programming.
- $177,788 Federal Funds limitation for one permanent full-time Operations and Policy Analyst 3 position (0.63 FTE) to support implementation and ongoing operations of the program. This includes $147,812 for personal services, and $29,976 for services and supplies costs.

This package is mostly funded using a one-time accumulated balance of TANF block grant funds the department estimates will be fully expended in the 2025-27 biennium, at which point a larger share of the cost would potentially need to be covered by the General Fund. The timeframe could vary depending on several variables, including, most notably, TANF caseload trends and how long it takes to expand the contracted provider network to meet the funded service levels. During the 2023 legislative session, an informational hearing will be scheduled in the Human Service Subcommittee for the agency to provide an update on implementation of the TANF changes funded in this package.

Emergency Food Supply

A one-time increase of $3 million General Fund was approved to fund the Oregon Food Bank's emergency food supply stabilization efforts.

2-1-1 Information Service

A one-time increase of $1 million General Fund was approved to support making the 2-1-1 information service available 24 hours a day, seven days a week. The 2-1-1 information service helps Oregonians identify, navigate, and connect with local resources, including, for example, food, emergency shelter, and utility assistance resources.

Family Treatment Courts

The Subcommittee approved $1.1 million General Fund for the Oregon Department of Human Services to support family treatment courts, including a new program in Clatsop County and an existing program in Columbia county. The package includes $133,819 for one permanent full-time position (0.50 FTE) to serve on a statewide family treatment court governance committee; $759,880 to cover ODHS' legal bills for Department of Justice support; and, $213,275 to assist families participating in the family treatment courts in Clatsop and Columbia counties.

Long Term Care Provider Rates

To address the higher costs of providing long-term care during the public health emergency and to preserve access to care, an increase of $35.2 million General Fund ($102.1 million total funds) was approved for the Department to increase Medicaid rates for nursing facilities, home and community based care providers, in-home care agencies, and children's intensive care private duty nurses. This includes:

- For nursing facility providers, $13.4 million General Fund one-time ($37.5 million total funds) to extend the 5% COVID add-on through the end of the 2021-23 biennium. Under current law, this add-on will expire on March 31, 2022.
- For community-based care providers, $9.7 million General Fund one-time ($28.8 million total funds) to extend the 5% COVID add-on through the end of the 2021-23 biennium, and $8.2 million General Fund ongoing ($24.2 million total funds) to increase the COLA for these providers to 10% for the second year of the biennium. Under current law, the COVID add-on will expire on March 31, 2022, and the COLA is set at 5%.
- For in-home care agencies, $2.1 million General Fund one-time ($6.3 million total funds) to extend the 5% COVID add-on through the end of the 2021-23 biennium, and $1.8 million General Fund ongoing ($5.3 million total funds) to increase the COLA for these providers to 10% for the second year of the biennium.
- For children's intensive care private duty nurse providers, $46,000 General Funds ongoing ($115,000 total funds) to increase the COLA to 10% for the second year of the biennium. Current law provides for a 5% increase.

Additionally, $10 million General Fund was approved on a one-time basis to reimburse nursing facilities for the costs of testing employees for COVID-19, as well as $2.5 million General Fund on a one-time basis to ensure access to essential long-term care services and supports in underserved communities.

Workload/Staffing Impacts of Provider Time Capture and ONE Eligibility Systems Rollout

During the 2022 legislative session, agency stakeholders expressed concerns about workload and staffing impacts related to both the Provider Time Capture and ONE integrated eligibility systems. Since both systems are relatively new, having been implemented in the last year, there have been challenges related to that transition. Other workload demands and staffing shortages are more tied to increases or changes in caseloads primarily due to the pandemic; some policy or legislative changes have driven others. Due to these concerns, the Subcommittee approved the following budget note:

> **BUDGET NOTE:** The Oregon Department of Human Services (ODHS) will work with stakeholders to collect information on the impacts of the Provider Time Capture and ONE integrated eligibility systems on workload and staffing for both ODHS and agency partners. The compiled information should be provided as an addendum to the Department staffing proposal required to be prepared and reported on this year under HB 2102 (2021).

During the 2023 legislative session, an informational hearing will be held in the Human Services Subcommittee for ODHS and stakeholders to provide information on workload and staffing issues, along with potential solutions and/or related budget recommendations.

Shared Services - Information Services, Financial Services, and Internal Audits

An increase of $1.2 million General Fund ($3.2 million total funds) was approved for the Oregon Department of Human Services' Shared Services Offices. Specifically, this includes $0.7 million General Fund ($1 million total funds) for special payments to cover ODHS' share of

cost for ten new permanent full-time positions in the Oregon Health Authority budget for the Office of Information Services for information technology project support; $0.4 million General Fund ($1.5 million total funds) for six permanent full-time positions (3.78 FTE) in the Office of Financial Services for workload related to reporting, accounts payable, and accounting structures; and, $0.2 million General Fund ($0.7 million total funds) for two permanent full-time positions (1.38 FTE) in the Internal Audit Center for workload related to controls and practices in federal funds accounting and monitoring.

Office of Resiliency and Emergency Management - Staffing Agency Contracts

The Subcommittee approved a one-time General Fund increase of $9.2 million for the Oregon Department of Human Services to address pandemic-related staffing shortages experienced by Office of Developmental Disabilities Services' providers serving vulnerable Oregonians. In October 2021, ODHS contracted with several staffing resource agencies to help providers fill gaps in coverage for a 90-day period - through the end of December. The contracts were subsequently extended for a second 90-day period. The funding in this package is intended to cover contract costs for the period October 1, 2021 through March 31, 2022.

As part of HB 5006 (2021), the Legislature approved 9 limited-duration positions (7.50 FTE) for ODHS' Office of Resiliency and Emergency Management to support wildfire recovery and other efforts. The Subcommittee approved making these permanent full-time positions in support of the agency's responsibilities under the state's Comprehensive Emergency Management Plan.

Fall 2021 Rebalance

For the Oregon Department of Human Services' first financial rebalance of the 2021-23 biennium, the Subcommittee approved adjustments resulting in a net General Fund savings of $38.2 million, an Other Funds expenditure limitation increase of $109.2 million, and a Federal Funds expenditure limitation decrease of $7 million; and, authorized a total of 71 new positions (45.60 FTE). The adjustments encompass a number of issues affecting the ODHS' budget, including savings or funding gaps due to changes in caseload, cost per case, and the federal medical assistance percentage (FMAP); costs associated with COVID-19; and other program changes arising since the 2021 legislative session. The major ODHS rebalance adjustments include:

- $64.9 million General Fund decrease due to lower Fall 2021 caseload, compared to Spring 2021.
- $24.4 million General Fund decrease resulting from an increase in the FMAP rate.
- $24.9 million General Fund increase for higher costs per case in the Intellectual/Development Disabilities and Child Welfare programs.
- $8.5 million General Fund increase to cover contracts for additional nursing facility beds to mitigate COVID-19-related hospital bed shortages in Southern Oregon.
- $9.5 million General Fund increase to reimburse nursing facilities for costs related to testing employees for COVID-19.
- $3.1 million General Fund increase for 24 positions (14.86 FTE) to implement HB 3352 which expanded health coverage to adults who would be eligible for Medicaid except for their immigration status HB 3352 (2021).

- $40 million increase in Other Funds expenditure limitation for anticipated wildfire-related FEMA reimbursement.
- $69.4 million increase in Other Funds expenditure limitation for anticipated COVID-related FEMA reimbursement.
- $12.3 million increase in Federal Funds expenditure limitation for TANF Pandemic Emergency Assistance Payments.
- $7.3 million increase in Federal Funds expenditure limitation and three positions (2.33 FTE) in Vocational Rehabilitation to implement the federal Disability Innovation Fund grant.
- $3.1 million increase in Federal Funds expenditure limitation for 25 permanent positions (16.75 FTE) to serve SNAP navigators.
- $1.6 million increase in Federal Funds expenditure limitation for 10 limited-duration positions (5.80 FTE) to administer federal grants to enhance and improve adult protective services and support COVID-19 prevention and response activities.

In addition, various budget-neutral technical adjustments were approved related to internal transfers of positions and funding. The agency noted in the rebalance report several potential risks to its budget, including for example, changes in program caseloads and cost per case, the impact of COVID policies on workload and staff resources and general uncertainty regarding the resources required to implement legislative program changes.

Office of Immigrant and Refugee Advancement Transfer

SB 1550 (2022) transfers the Office of Immigrant and Refugee Advancement from the Office of the Governor to the Oregon Department of Human Services, including four positions (3.83 FTE) --which have not been filled since being established--and $1,376,037 General Fund; these budget adjustments are included in HB 5202.

Long Term Care Ombudsman

The Subcommittee approved an Other Funds expenditure limitation increase of $258,160 for the Long Term Care Ombudsman to allow the agency to use federal American Recovery Plan Act funds transferred from the Oregon Department of Human Services for COVID-19 response activities. Also approved was $6,000 Other Funds expenditure limitation to allow the agency to use donations received in support of the Oregon Public Guardian and Conservator program.

JUDICIAL BRANCH

Oregon Judicial Department

The Subcommittee approved a $3.9 million General Fund and authorized the establishment of 40 permanent full-time positions (20.00 FTE) for expansion of the pretrial release program. The department will provide Release Assistance Officers (RAO) in 17 counties that currently do not have pretrial release staffing and augment staffing in two additional counties with established programs (Josephine and Washington).

For the reorganization of the Office of the State Court Administrator, the Subcommittee approved $2.4 General Fund and authorized the establishment of 15 permanent full-time positions (8.75 FTE) with instructions that the Department work with the Legislative Fiscal Office to align the Department's 2023-25 budget structure with the reorganization.

The Subcommittee approved $762,623 General Fund and authorized the establishment of three permanent full-time positions (1.50 FTE) for family treatment courts. The Department will convene a statewide family treatment court governance committee, add a new family treatment court in Clatsop County and augment staffing to an existing family treatment court in Columbia County.

To replace aging grand jury recording equipment, the Subcommittee approved $337,000 General Fund, on a one-time basis. The Subcommittee also approved $275,752 in Federal Funds expenditure limitation, on a time-time basis, and authorized the establishment of two limited duration (1.00 FTE) to perform work for a U.S. Department of Health and Human Services, Administration of Community Living, Elder Justice Innovation grant. The grant is to conduct a self-assessment of guardianship and conservatorship monitoring practices across circuit courts.

The Subcommittee approved $113,700 and authorized the establishment of one permanent full-time Law Clerk (0.58 FTE) in the Tax Court to assist with the Corporate Activities Tax caseload.

For the Clackamas County Courthouse replacement project, the Subcommittee approved a supplemental increase of $95.4 million Other Funds expenditure limitation, on a one-time basis. The request includes $94.5 million of state matching funds and $900,000 for costs of issuance of the bonds. The Legislature in 2021 authorized the issuance of $95.4 million in Article XI-Q general obligation bond (SB 5505, 2021) to funds that state's matching funds commitment. The draft Master Funding Agreement meets the constitutional requirements for the issuance of general obligation bonds and the and statutory requirements under the Oregon Courthouse Capital Construction and Improvement Fund.

The Subcommittee approved a supplemental increase of $8.9 million Other Funds expenditure limitation, on a one-time basis, for the Crook County Courthouse replacement project. The request includes $4.4 million of state matching funds, including $28,295 for bond costs of issuance, and $4.4 million to meet the local matching funds requirement. Article XI-Q general obligation bond proceeds will be used to fund the state's matching funds commitment (SB 5701). Also approved was $1.5 million General Fund, on a one-time basis, for a Deschutes County Circuit Court renovation and expansion project and $2 million General Fund, on a one-time basis, for Columbia County Courthouse life safety and accessibility improvements.

To support a single, coordinated eportal to connect Oregonians with civil legal assistance, the Subcommittee approved $2.3 million General Fund, on a one-time basis, for distribution to the Oregon State Bar Association for the OregonLaw+Connect information technology project.

The budget changes approved for the Department also include following technical adjustments:

- Re-establishment of a 2019-21 biennium $2 million General Fund appropriation, on a time-time basis, for planning for the replacement of the Benton County Courthouse.
- Transfer $250,000 Other Funds expenditure limitation for Article XI-Q general obligation bond cost of issuance associated with the Supreme Court Building Renovation Project from the Capital Construction to the Administration and Central Support Division.
- Transfer 2019-21 General Fund Carryforward savings for the Counsel on Court Procedures ($51,710) and debt service ($10,249) to the Administration and Central Support Division.

Public Defense Services Commission

For the procurement of indigent defense counsel in Multnomah, Washington, Marion, and Lane counties, the Subcommittee approved $12.8 million General Fund, on a one-time basis. The appropriation will address the current backlog of unrepresented clients in the four counties and provide increased attorney capacity for the remainder of the biennium, according to PDSC.

The Subcommittee approved $743,588 General Fund, on a one-time basis, and authorized the establishment of two positions (1.26 FTE) for the re-initiation of the planning phase of the Financial and Case Management information technology project. A budget note was also adopted:

> **BUDGET NOTE:** The Public Defense Services Commission is directed to report to the Joint Legislative Committee on Information Management and Technology and the Joint Committee on Ways and Means during the 2023 legislative session on the status of the re-initiation of the planning phase of the Financial/Case Management System (F/CMS) information technology project. The report shall include: a detailed business case, project timeline, and cost estimates. The Commission is to follow the Stage Gate or a similar disciplined process related to information technology projects, including development of key artifacts and independent quality assurance oversight.

Other approved changes are an increase of $380,436 General Fund, on a one-time basis, and the authorization to establish of one limited duration full-time position (0.50 FTE) to implement SB 578 (2021) and the payment of private counsel, with instruction that the agency work with the Legislative Fiscal Office to establish a new budget structure in the state's budget system for civil-related activities.

The Subcommittee approved $259,969 General Fund and authorized the establishment of one permanent full-time position (0.58 FTE) for the Appellate Division, Juvenile Appellate Section, to support caseload growth. Related to family treatment courts, the Subcommittee approved $195,833 General Fund and authorized the establishment of one permanent full-time position (0.50 FTE) in the Juvenile Division. The position will serve on a statewide family treatment court governance committee.

Commission on Judicial Fitness and Disability

The Subcommittee approved $15,000 of General Fund, on a time-time basis, to resolve an underfunding Other Payroll Expenses for the Commission's executive director position.

LEGISLATIVE BRANCH

Legislative Administration Committee

The Subcommittee approved increasing Other Funds expenditure limitation by $4,205,000 for the balance of general obligation bond proceeds issued in the prior biennium for the Document Publishing and Management System (DPMS) that will be expended during 2021-23. Other Funds expenditure limitation of $235,000 was also established for the cost of issuing Article XI-Q bonds authorized in SB 5701 for the third phase of the Capitol Accessibility, Maintenance, and Safety (CAMS) project to further capital improvements to the State Capitol Building, including upgrades to the 1938 building for improved functionality, fire protection systems, seismic retrofits, roof repairs, security upgrades, IT and media modernization, and upgrades to remaining mechanical, electrical, and plumbing equipment not addressed in phases I and II. Bonds are scheduled to be sold in spring 2023, so no additional debt service is due in the 2021-23 biennium. CAMS III has a total estimated cost of $375 million through the 2023-25 biennium, with a total of $242,711,000 approved in the Capital Construction bill (SB 5702) through a combination of bond proceeds ($19,630,000) and General Fund ($223,081,000) to support 2021-23 expenditures.

A one-time General Fund reduction of $23,178,950 from unexpended 2019-21 General Fund legislative agency appropriations was approved to partially support the cost of CAMS III. Reductions eliminated General Fund carried forward for the Legislative Assembly, Legislative Fiscal Office, Legislative Policy and Research Office, Legislative Revenue Office, and Commission on Indian Services and reduced Legislative Administration and Legislative Counsel carryforward balances to $1,077,899 and $153,036, respectively. The remaining unexpended 2019-21 General Fund in Legislative Administration will support the addition of a permanent full-time Security Manager position (0.54 FTE) totaling $123,416 and additional security projects and costs of $500,000 in the 2021-23 biennium. The balance in Legislative Counsel is anticipated to support additional publication services staff overtime costs.

NATURAL RESOURCES

Department of Agriculture

The Subcommittee approved a one-time General Fund appropriation of $180,000 to support the Department's Animal Rescue Entity Program established by SB 883 (2019). This program regulates animal rescue entities through licensure and inspections of facilities and was intended to be a self-funded program. When first established, there was anticipated to be around 515 organizations that would require licensure in Oregon, however ORS 609.415 provides that entities with less than ten animals in their custody are not required to be licensed. To date, only 135 entities are full licensed, while 104 report being under the 10-animal requirement. As a result, the annual fee of $375 is not sufficient to fund the Natural Resource Specialist 3 (1.00 FTE) position that administers the program. The funding provided is intended to keep the program operational for the remainder of the biennium, and the Department is expected to return to the 2023 legislature with proposals for program sustainability.

Additionally, the Subcommittee approved the establishment of two limited duration positions, a full-time Program Analyst 1 (0.71 FTE) and a half-time District Veterinarian (0.35 FTE) as part of a National Animal Disease Preparedness and Response Program grant received from the U.S. Department of Agriculture. The legislature provided retroactive permission to apply at the November 2021 meeting of the Interim Joint Committee on Ways and Means and the Department received funding in December 2021.

Columbia River Gorge Commission

A General Fund appropriation of $25,000 was provided for the Columbia River Gorge Commission to cover Oregon's 50 percent share of increased operating costs. The increased costs were a result of increases in Washington's budget related to audit services, central services, wage increases, and employee insurance benefits.

State Department of Energy

The Subcommittee approved a one-time General Fund appropriation of $5 million for the solar rebate program established in HB 2618 (2019). The $5 million will be deposited into the Rooftop Solar Incentive Fund for the issuance of rebates and to pay for implementation and administration of the solar rebate program. This is the program's third influx of one-time General Fund, including $2 million in 2019-21, and $10 million in HB 5006 (2021). This additional amount available for rebates can be administered within existing resources.

The Subcommittee also approved an adjustment to the General Fund debt service provided to the Department for the Small-Scale Energy Loan Program (SELP). This debt service, totaling $3.5 million, is due to losses sustained from loans dating back to 2007 and was provided in HB 5006 (2021) to cover bond payments due in April 2022 and 2023. However, the statutory provisions of the SELP program require that any debt service payments must be paid through the Small-Scale Local Energy Project Administration and Bond Sinking Fund established in ORS 470.300. As a result, the General Fund debt service provided in HB 5006 has been eliminated and $3.5 million of General Fund has been appropriated for deposit into the Sinking Fund. A corresponding Other Funds expenditure limitation has been provided to pay the debt service out of the Fund in 2022 and 2023.

Department of Environmental Quality

As part of an overall statewide investment in climate, the Subcommittee approved two separate one-time General Fund appropriations of $15 million to be deposited into dedicated funds for programs at the Department of Environmental Quality (DEQ). The first $15 million was deposited into the Zero-Emission Incentive Fund to provide additional funding for the electric vehicle rebate program known as the Oregon Clean Vehicle Rebate Program. This program was established in HB 2017 (2017) and is funded from privilege tax revenue of approximately $12 million per year. With increased growth in the electric vehicle sector in recent years, the program is anticipated to be oversubscribed. A corresponding $15 million of Other Funds expenditure limitation was provided for DEQ to expend the monies in the fund in the form of additional rebates, which can be administered within existing agency resources.

The second $15 million was deposited into the Medium and Heavy-Duty Electrification Fund, established in HB 4139 (2022) for a grant program supporting medium and heavy-duty zero-emission vehicle charging and fueling infrastructure projects. This one-time funding is intended to

support grants to public or private entities for capital improvements and technical assistance to support the installation of charging infrastructure for zero-emission medium and heavy-duty vehicles. Projects will be awarded through a competitive request for proposal process with priority given to projects located in communities disproportionately impacted by diesel pollution or are connected to proposed or existing transportation corridor projects, and projects that demonstrate available matching funds. A corresponding $15 million of Other Funds expenditure limitation was provided to expend the monies in the fund. Included in this amount are anticipated costs for administrating the grant program, including the establishment of a limited duration Operations and Policy Analyst 2 position (0.63 FTE). Total administrative costs are estimated to be $373,329 in the 2021-23 biennium, including potential contracting costs. Depending on the Department's ability to initiate the program, demand for the grants and distribution of available funding, DEQ may need to request carry forward of Other Funds limitation and position authority for this program as part of its 2023-25 budget request.

The Subcommittee provided the following instruction to the Department of Environmental Quality and the Department of Transportation:

> **BUDGET NOTE:** The Department of Environmental Quality and the Oregon Department of Transportation are directed to report back to the Joint Committee on Transportation and the appropriate interim budget committee by December 1, 2022, with an analysis of existing incentives available to support the transition to zero emission medium and heavy duty transportation fleets. The agencies are further directed to research incentives offered in other states and to provide recommendations on expanding or creating incentives to support businesses in the transition to zero emission medium and heavy-duty vehicles. This effort should include analyses on incentives for both vehicles and electric charging or other fuel infrastructure.

Additionally, the Subcommittee approved $517,000 General Fund to support laboratory operations, including $217,000 for a permanent full-time Principle Executive Manager E position (0.63 FTE) to aid in management and operations of the DEQ Lab. Costs of this position are distributed across all three major program areas of Air Quality, Water Quality, and Land Quality. Of the amount provided, $300,000 is one-time for the repair or replacement of analytical equipment. The Subcommittee also approved $484,553 General Fund for information technology costs related to DEQ's use of the State Data Center and increased use of enterprise and backup storage as well as LAN services. These costs are part of assessments paid to the Department of Administrative Services.

Finally, the Subcommittee approved $56,604 Other Funds expenditure limitation and establishment of a permanent half-time Operations and Policy Analyst 2 position (0.25 FTE) to oversee the Mattress Stewardship Program established by SB 1576 (2022). Funding for the position is expected to come from an annual fee, to be established by rule, paid by stewardship organizations.

State Department of Fish and Wildlife

As part of a statewide drought resiliency package, the Subcommittee approved $15.6 million General Fund to the Department of Fish and Wildlife (ODFW). Included in this funding is $8 million for fish passage barrier removal, $5 million for deposit into the Oregon Conservation and Recreation Fund established in HB 2829 (2019), and $2.6 million for activities to improve drought resiliency including river temperature and streamflow monitoring. The Department anticipates utilizing these funds for the procurement of temperature loggers and streamflow gauges, to

conduct coldwater refugia mapping, and to address a backlog of new instream water right applications. To accomplish this work, ODFW will establish seven limited duration positions (3.33 FTE) including two Natural Resource Specialist 3's and a Natural Resource Specialist 2 (0.67 FTE each), and four Biological Science Assistants (0.33 FTE each). Cost of the positions is anticipated to be $541,116 General Fund. Included in the total is at least $750,000 of funding to the U.S. Geological Survey (USGS) for placement and maintenance of approximately 25 streamflow gauges, with the possibility for matching funding from USGS that would increase that total to 50.

The General Fund provided for the drought resilience package is one-time, except for the USGS funding and $50,000 for gauges to be placed in priority basins identified by the Department. With only 16 months remaining, it may be difficult for the Department to accomplish some of the anticipated activities by the end of the biennium, considering that much of this work is related to gathering and analyzing ongoing data. It would not be unexpected for the Department to seek supplementary or ongoing resources as part of the agency's 2023-25 budget request.

Finally, $6 million of Other Funds expenditure limitation was approved for funds deposited into the Oregon Conservation and Recreation Fund, including the $5 million mentioned above and $1 million from American Rescue Plan Act Coronavirus State Fiscal Recovery Fund monies designated in HB 5006 (2021).

Department of Forestry

The Subcommittee approved an appropriation of $46,298,469 General Fund to the Oregon Department of Forestry for the payment of emergency fire costs related to the 2021 wildfire season. Of the total amount, $6,141,267 was provided to address the payment of costs associated with severity resources. A corresponding reduction in the special purpose General Fund appropriation to the Emergency Board for severity resources was also made. The remaining $40,157,202 is the net estimated direct cost of emergency fire suppression allocated to the General Fund. Additionally, an increase of $78,218,491 Other Funds expenditure limitation was approved for the processing of payments of expenses incurred during the 2021 fire season that are anticipated to be paid from non-General Fund sources including: federal agency reimbursements, federal emergency fire grant assistance, other agency reimbursements, and private landowner assessments.

Department of Land Conservation and Development

Other Funds expenditure limitation of $90,660 was provided for the Department of Land Conservation and Development from the City Economic Development Pilot Program Fund established by HB 2743 (2017). The expenditure limitation had been inadvertently phased out by the Department during the previous budget cycle. Approximately $36,700 in funds remain in the City Economic Development Pilot Program Fund. The funds were provided by the City of Madras for the pilot program. The funding will be returned to the City of Madras less any costs associated with the Department's report required by section 5 of HB 2743 (2017).

The Subcommittee approved one-time General Fund of $150,000 for the Department of Land Conservation and Development (DLCD) to expand current work on the Regional Housing Needs Analysis implementation. This investment will allow the agency to support anticipated interim work by legislators and stakeholders around housing and land supply issues; that support may include professional facilitation along with administrative, logistical, and technical services.

Land Use Board of Appeals
A joint report that was due during the 2022 Legislative session between the Land Use Board of Appeals and Department of Administrative Services Enterprise Information Services was deferred until the end of 2022. The report was to provide progress on foundational work for an electronic filing and case management system for the Board, including any funding requirements. The Board stated that it has not had the staff capacity to oversee or initiate this project due to two of the six Board personnel being on extended leave in 2021.

Oregon State Marine Board
To support expenditure of a recent grant award from the National Oceanic and Atmospheric Administration, an increase in Federal Funds expenditure limitation of $50,000 was approved; this funding will be used to remove and mitigate abandoned and derelict vessels.

Department of State Lands
A one-time General Fund appropriation of $121,000,000 for the Department of State Lands (DSL) was approved by the Subcommittee. It is intended to satisfy the financial obligations to the Common School Fund related to the Elliot State Forest. The Forest was appraised in 2016 at a value of $221 million, and $100 million was paid to the Common School Fund from the proceeds of certificates of participation that were authorized for issuance in 2019. Based on this appraisal, decoupling the Forest from the Common School Fund is estimated to cost $121 million. Once decoupled, the Elliot State Forest would transfer from DSL oversight to the newly established Elliott State Research Forest Authority as provided in HB 1546 (2022). Satisfying the financial obligations to the Common School is one of the tasks that must be completed prior to that measure becoming operative on January 1, 2024.

A one-time General Fund appropriation of $1 million was provided to DSL for deposit into the Oregon Ocean Science Fund established under ORS 196.567. The funds are to be spent by the Oregon Ocean Science Trust to further science and monitoring along Oregon's ocean and coastal habitats, which includes nearshore keystone species such as sea otters, kelp and eelgrass habitat, and sequestration of blue carbon. A corresponding Other Funds expenditure limitation increase was provided to DSL for these funds to be spent in the manner described.

Water Resources Department
A technical adjustment was included for the Water Resources Department that disassociated $435,994 General Fund intended for the payment of limited-duration position costs and other associated administrative expenses of the Water Well Abandonment, Repair and Replacement Fund established by ORS 537.766 from monies that had been intended for deposit in the fund. Although the total amount of General Fund appropriated remains unchanged, this adjustment allows for the payment of these position costs directly instead of through the fund, which does not explicitly provide for this use of the monies in the fund. No additional position authority is provided with this adjustment as the positions were authorized by SB 5561 (chapter 4, Oregon Laws 2021, 2nd Special Session). A corresponding reduction in the Other Funds expenditure limitation that was provided for the payment of costs associated with these positions and associated administrative expenses from the fund was also approved.

Oregon Watershed Enhancement Board

A $239,000 one-time General Fund appropriation to the Oregon Watershed Enhancement Board (OWEB), the authorization to establish a limited duration position (0.67 FTE), and the extension of an existing position (0.36 FTE) was approved to support the OWEB administration of drought relief programs and funding as provided by chapter 4, Oregon Laws 2021. The appropriated amount includes funding for the direct position costs and position associated services and supplies costs.

The Subcommittee approved a one-time General Fund appropriation of $5,203,786 to OWEB and the authorization to establish a limited duration position (0.63 FTE), for the purpose of creating a grant program to provide funding for on the ground actions supporting the recovery of natural resource lands impacted by the 2021 wildfire season. These actions include soil stabilization and erosion control, detection and treatment for invasive species, reseeding and replanting, habitat restoration and culvert repair or replacement. $5 million will distributed as grants with the remaining funding used to support position and other administrative costs of the program.

A one-time General Fund appropriation of $10 million for deposit in the Flexible Incentives Account was also provided; a corresponding $10 million Other Funds expenditure limitation from the account was established along with the authorization to establish a limited duration position (0.63 FTE) and extend the service of a second, existing, limited duration position (0.31 FTE) to support a program providing grants that support the voluntary transfer of water rights to improve legally protected streamflows. This support is supplemental, and additive to the agency's existing water acquisition grant program funded by lottery revenues.

A one-time General Fund appropriation of $5 million General Fund for deposit in the Oregon Agricultural Heritage Fund was approved along with a corresponding establishment of a $5 million Other Funds expenditure limitation from the fund and the authorization to establish three limited duration positions (1.57 FTE). The Oregon Agricultural Heritage Fund supports a number of activities including landowner succession planning, financial support for conservation management plans, covenants, and easements, funding for and direct technical assistance leading to those plans, covenants, and easements, administrative costs of the Oregon Agricultural Heritage Commission, and OWEB administrative costs related to working lands conservation programs.

The Subcommittee approved an increase of $169,937 Lottery Funds expenditure limitation and the establishment of a limited duration, conservation outcomes specialist position (0.63 FTE). This action allows the agency to continue the limited duration position that had been established in the prior biennium but had not previously been continued into the current biennium due to revenue constraints. This position primarily functions to assist in the establishment and maintenance of the structure for monitoring and reporting results and outcomes of investments in watershed restoration.

An increase of $1 million in the allocation of lottery monies from the Watershed Conservation Operating Fund to the Department of Agriculture via the Oregon Watershed Enhancement Board was approved to support the expenditure of those monies by the Department of Agriculture for grasshopper and cricket suppression efforts as authorized by section 8, chapter 4, Oregon Laws 2021, Second Special Session.

Allocations of Lottery Fund monies deposited in the Watershed Conservation Operating Fund provided to the following agencies, were approved to be increased by the following amounts to support increased expenditures for statewide budget adjustments including compensation changes driven by collective bargaining agreements:

- Department of State Police: $249,144
- Department of Fish and Wildlife: $118,337
- Department of Agriculture: $213,188
- Department of Environmental Quality: $224,550

PUBLIC SAFETY

Department of Corrections

The Subcommittee approved two budget-neutral fund shifts to utilize remaining fund balances from the Coronavirus Relief Funds (CRF) and American Rescue Plan Act (ARPA) monies provided to the state. Other Funds expenditure limitation of $74,716,564 for CRF and $363,582 for ARPA funding is provided, along with a corresponding decrease in General Fund. These federal funds are received by the Department of Administrative Services and passed through to the Department of Corrections for maintaining public safety services during the COVID-19 pandemic.

The Subcommittee approved several technical adjustments that shift costs between programs within DOC, including: $6 million from central administration to operations for repair and maintenance projects; $131,200 from operations to correctional services for the library services unit; and $100,000 from central administration to correctional services for the community partner outreach program.

Finally, a one-time General Fund appropriation of $51,421 was approved for a limited duration part-time Administrative Specialist 1 position (0.25 FTE) that will serve as a liaison for the Gender-Responsive Coordinator position established in the Governor's Office.

Oregon Criminal Justice Commission

The Subcommittee approved a one-time General Fund appropriation of $300,000 for the legal services pilot program first established by HB 2631 (2019) and then reestablished by HB 4050 (2022) operating at the Coffee Creek Correctional Facility. The Criminal Justice Commission will administer payments for this program, which is operated by the Oregon Justice Resource Center.

Oregon Department of Emergency Management

The Subcommittee approved the necessary funding for the establishment of the Department of Emergency Management, effective July 1, 2022, outlined in HB 2927 (2021). The new Department will be structured with five major programs, including: Administration, the 9-1-1 Emergency Program, Preparedness and Response, Mitigation and Recovery, and Bond Debt Service.

- Administration program includes $7,896,756 General Fund and $484,877 Other Funds and 38 positions (18.83 FTE).
- 9-1-1 program is 100% Other Funds totaling $68,337,111 and 10 positions (5.36 FTE).
- Preparedness and Response includes several federal grant programs like the Emergency Management Performance Grants, Homeland Security Grants, Regional Catastrophic Preparedness Grants, Geohazards Grants, and the SPIRE Grant program, which is funded by bond funding; $757,611 General Fund, $5,673,745 Other Funds, $37,092,457 Federal Funds and 22 positions (10.82 FTE) make up this program.
- Mitigation and Recovery includes the federal Fire Assistance Grants, Flood Mitigation Assistance Grants, Pre-Disaster Grants, Hazard Mitigation Grants, and this program is also where Public Assistance and Individual Assistance funding would flow through for FEMA disaster-related payments. The program includes $665,143,048 Federal Funds and 22 positions (11.00 FTE).
- Bond Debt Service consists of $1,576,705 General Fund related to bonds issued for the SPIRE grant program.

Finally, $20 million of one-time Other Funds expenditure limitation was provided for the Department to expend monies deposited into the Local Disaster Assistance Loan and Grant Account to be used as match for FEMA Hazard Mitigation Program grants. This will allow the Department to expend the funds beyond June 30, 2023 and maximize the available federal funding from FEMA. The Other Funds expenditure limitation will go in the Mitigation and Recovery program and the Department will likely need to request additional limitation as part of its 2023-25 budget development to expend any unspent funds.

Department of Justice

The Subcommittee approved the following Crime Victim and Survivor Services budget adjustments:

- $15 million in Other Funds expenditure limitation, on a one-time basis, for community-based violence prevention grants. The revenue source is the American Rescue Plan Act Coronavirus State Fiscal Recovery Fund monies received by the Oregon Department of Administrative Services and transferred to the Department.
- $11.25 million General Fund, on a one-time basis, for a potential revenue shortfall in the federal Victims of Crime Act grant (VOCA).
- $10 million General Fund, on a one-time basis, for deposit into the Oregon Domestic and Sexual Violence Services Fund and an increase of $10 million of Other Funds expenditure limitation for expenditure from the fund, for state-funded grants to domestic and sexual violence service providers throughout the state, including federally recognized tribal governments.
- $2.8 million General Fund, on a one-time basis, for distribution to Court Appointed Special Advocates.

- $2 million in the Other Funds expenditure limitation, on a one-time basis, for the Crime Victims and Survivor Services Division, as a special payment for distribution to nonprofit entities to assist survivors of domestic and sexual violence and human trafficking in maintaining or acquiring housing. The revenue source is the Housing and Community Services Department (HCSD) American Rescue Plan Act (ARPA) funding for the agency's Emergency Rental Assistance Program. The $2 million is to be deposited into the Oregon Domestic and Sexual Violence Services Fund.

For the Legal Tools Replacement information technology project, the Subcommittee approved $4.6 million in supplemental General Fund, on a one-time basis, and authorized the establishment of 13 limited duration positions (7.29 FTE) and $5.1 million Other Funds expenditure limitation. The revenue source of the Other Funds is Article XI-Q general obligation bond (SB 5701) that will be issued in the spring of 2023 and fund a portion of project activities for the 2023-25 biennium. The Other Funds amount includes $105,000 associated with the cost of the bond issuance. Debt service, which will begin int the 2023-25 biennium, is to come from legal billings to state agencies.

To address workload needs driven by state agencies, the Subcommittee approved a supplemental increase of $2.3 million in the Other Funds expenditure limitation and authorized the establishment of nine permanent full-time positions (4.74 FTE) for the General Counsel Division to address workloads in the Natural Resources, Government Services, and the Tax and Finance Sections. The revenue to support this request is to come from billings to state agencies.

The budget approved by the Subcommittee includes a decrease of $940,753 in the Other Funds expenditure limitation, an increase of $1.2 million General Fund, and authorized the establishment of one permanent full-time position (0.58 FTE) for the Criminal Justice Division due to Department's withdrawal from the federal government's High Intensity Drug Trafficking Area (HIDTA) program beginning May 1, 2022. Five existing permanent full-time positions will be fund shifted from Other to General Fund then redeployed the positions into the Analytical and Criminal and Investigative Support Section. The newly authorized position will manage the Investigative Service Center, the Oregon Watch Center, the Titan Fusion Center, and the Oregon Critical Infrastructure Program.

The Subcommittee approved a decrease of $213,517 General Fund, a decrease of $37,146 in Other Funds expenditure limitation, and a decrease of $486,565 in Federal Funds expenditure limitation and the abolishment of 12 permanent full-time positions (12.00 FTE) for the Division of Child Support to fund the procurement of a child support receipting and payment collection service for physically deposited payments.

The Subcommittee requested that the Department of Administrative Services (DAS) unschedule $300,000 General Fund and $389,630 Federal Funds for the Division of Child Support that was funded by the Legislature in 2021 (Policy Package #482) to fund the movement of the Child Enforcement Automated System (CSEAS) from a private data center to the DAS State Data Center. The funding may be rescheduled after the division presents a data migration plan to the Emergency Board as part of a request for the release of special purpose appropriation.

Related to family treatment courts, the Subcommittee approved a $384,668 Other Funds expenditure limitation and authorized the establishment of two permanent full-time positions (1.00 FTE). One position (0.50 FTE) will serve on a statewide family treatment court governance committee and one position will support the Department of Human Services (DHS) in a new family treatment court in Clatsop County (0.25 FTE) and an existing family treatment court in Columbia County (0.25 FTE). Legal billings to DHS will pay program costs.

The Subcommittee approved $314,528 General Fund and authorized the establishment of one permanent full-time Operation and Policy Analysts 4 (0.58 FTE) for the Commission on Statewide Law Enforcement Standards of Conduct and Discipline (HB 2930 (2021)). The position is to service as the executive director the commission under the Criminal Justice Division.

The following technical budgetary adjustments were also included in the agency's budget adjustments:

- Transfer $447,784 Other Funds expenditure limitation and one permanent full-time positions (0.88 FTE) for the Fair Housing Enforcement initiative from the General Counsel Division to the Civil Enforcement Division.
- Reduce $212,656 General Fund for the Defense of Criminal Convictions to reconcile the budget with the Department's 2021-23 close-of-session forecasted caseload.

Oregon Military Department

For the Oregon Military Department (OMD), the Subcommittee approved a technical adjustment of $269,505 General Fund to shift information technology costs between programs, from the Office of Emergency Management (OEM) to administration. These costs have been budgeted within OEM but need to stay with the Department when OEM becomes an independent agency on July 1, 2022. Additionally, a fund split adjustment was approved for some accounting positions within the Department. Previously these positions had been supported 100% by federal funds but will be split 53% General Fund and 47% Other Funds.

The Subcommittee also approved the repurposing of $2.7 million of one-time General Fund from SB 5535 (2021) that was received as the anticipated state's share of FEMA-reimbursable cost for urban search and rescue teams deployed during the Labor Day wildfires in 2020. The state share funding is no longer needed as those fires were declared a major disaster, allowing for 100% FEMA reimbursement. The Department will now utilize those funds to complete a 2020 Wildfire After-Action Report, update the State Disaster Recovery Plan, enhance Diversity, Equity, and Inclusion efforts, and acquire a grants management software system. This grant management system will be funded with $500,000 of the one-time General Fund and $545,000 of available federal funds, for a total estimated cost of $1,045,000. OMD estimates the ongoing licensing and maintenance costs to be $140,000 per year which can be financed within existing resources.

An additional approved use of the one-time General Fund is for potential costs associated with moving the Office of Emergency Management -- to become the Oregon Department of Emergency Management (ODEM) on July 1, 2022 -- to a new location outside of the Anderson Readiness Center where space is insufficient. The new location being considered was previously leased by the Department of Transportation and includes space across two floors for staff offices and the state's Emergency Coordination Center, as well as secure parking onsite. The Department is working with Department of Administrative Services Enterprise Asset Management on the potential transition. If the site is approved, costs are

expected to be $1,888,600, including renovations, to be completed prior to the end of the biennium. Rental costs for the new facility are anticipated to be $2.7 million a biennium, which is about $351,000 more than OEM's current space. ODEM will need to request additional funding as part of its 2023-25 budget development.

Finally, the Subcommittee approved the necessary funding adjustments for the establishment of the Department of Emergency Management. This includes reductions of $8,654,366 General Fund, $1,576,705 General Fund debt service, $74,495,733 Other Funds, $702,235,504 Federal Funds, and transfer of 92 positions totaling 46.01 FTE. An additional reduction of $20 million General Fund was approved from one-time funds provided in HB 5006 (2021) as matching funds for FEMA's Hazard Mitigation Program. The funds are eliminated from OMD's budget and then placed for deposit into the Local Disaster Assistance Loan and Grant Account to be used for the same purpose. By placing the funds for deposit, the Oregon Department of Emergency Management will be able to carry forward any unspent funds beyond the 2021-23 biennium, since most project costs will extend beyond June 30, 2023. Funds in the Local Disaster Loan and Grant Account are transferred to ODEM on July 1, 2022.

State Board of Parole and Post-Prison Supervision

The Subcommittee approved three budget adjustments for the Board to address needs around technology and workload. An increase of $74,000 General Fund will help the agency find a vendor solution for an electronic records management system and support the cost of moving paper records from between offices; the old storage area is no longer available due to a building closure. The establishment of one full-time permanent Information Systems Specialist 7 (0.50 FTE) at a cost of $115,971 General Fund was also authorized effective July 2, 2022. Finally, $537,464 General Fund and two limited duration positions (1.00 FTE) were added to the budget to help cover hearings workload due an increase in juvenile sentence commutations.

Department of State Police

The Subcommittee approved $2.6 million General Fund, on a one-time basis, for the Firearms Instant Check System unit within the Department of State Police. These funds are to support 17 limited duration positions that were approved in the 2021 regular session through HB 5028. These positions, totaling 14.96 FTE, were included in the agency's 2021-23 budget to address a backlog of firearm background checks, and were originally intended to be funded with available fund balances from fee revenues within the Criminal Justice Information Services Division.

Additionally, the establishment of a permanent full-time Operations and Policy Analyst 4 position (0.25 FTE) totaling $112,291 General Fund was approved by the Subcommittee. This nonsworn position will act as the Department's tribal liaison to serve as the point of contact for all tribal governments and indigenous persons within the state. Of the General Fund provided, $35,000 is a one-time cost for a dedicated vehicle.

Also approved is the repurposing of $50,000 General Fund originally provided in HB 2928 (2021). That measure provided $150,000 of one-time funding for the purchase of three public announcement systems for crowd control, however, the Department had $50,000 remaining after the purchase and will use the funds to obtain respirator masks for the Mobile Response Team.

The Subcommittee approved a one-time Federal Funds expenditure limitation increase of $3,039,868 for the Department to make purchases under the equitable sharing program through the U.S. Department of Justice. The Department intends to use the available funding to purchase five Mobile Command Post vehicles, three Explosive Unit Response trucks, and to upgrade three of its current Hazardous Duty Robots.
The Subcommittee also approved the following General Fund appropriations related to the Office of the State Fire Marshal:

- $11,323,221 for one-time 2021 fire costs. This initial cost estimate is from the response to nine Governor-declared conflagrations across Oregon in 2021. Of the nine fires, two are eligible for federal reimbursement from FEMA ($3.4 million estimated state share) while the other seven are all state responsibility ($7.9 million).
- $1,149,500 for the purchase of wildland firefighting equipment (one-time) for the Estacada Rural Fire Protection District.
- $1,807,561 from the special purpose appropriation to the Emergency Board established in HB 2927 (2021) for the preparation of establishing the Office of the State Fire Marshal as an independent state agency. This appropriation will support 19 positions (5.50 FTE) within the new agency in place for the July 1, 2023 effective date.

Department of Public Safety Standards and Training

The Subcommittee approved an increase of $232,042 in Federal Funds expenditure limitation for the Assistance to Firefighters Grant Program. A budget note related to police officer training was also approved:

> **BUDGET NOTE:** The Department of Public Safety Standards and Training is directed to return to the appropriate interim committees on public safety by December 1, 2022, with a proposal for the delivery of training for police officers concerning the investigation and reporting of cases involving missing or murdered indigenous persons. The proposal should include the method and cost of delivery and the anticipated number of additional training hours that would be required.

Oregon Youth Authority

The Subcommittee approved budget adjustments to support the transfer of two vacant permanent full-time positions between programs, along with associated reclassification, funding, or step changes, to enhance the agency's Diversity, Equity, and Inclusion Office. The two positions, one from facilities programs and one from community programs, are moved to program support to serve as a DEI Strategic Coordinator and a DEI Engagement Specialist. This adjustment has a net zero impact on the overall agency budget.

Additionally, the Subcommittee approved a joint request from the Oregon Department of Human Services and the Oregon Youth Authority for a one-time repurposing of $7.7 million in General Fund savings ($12.9 million total funds) resulting from lower than budgeted utilization in the Behavior Rehabilitation Services (BRS) program to support systems of care for children and families. This repurposing of funds includes $3 million General Fund ($1,744,916 from OYA) for supplemental payments to BRS providers and other contracted community-based providers experiencing COVID outbreaks and quarantines, effective November 1, 2021 through June 31, 2023; and, $4.7 million General Fund ($2,301,350 from OYA) on a one-time basis to reserve bed capacity, effective November 1, 2021 through June 31, 2023. Some available federal funding will also be utilized as part of the $12.9 million total funds, including $887,513 from OYA, to support reserving bed capacity.

Finally, HB 5202 establishes a new Other Funds Debt Service appropriation to help correct a legal reference error in HB 5006 (2021).

TRANSPORTATION

Department of Aviation

The Subcommittee approved an increase of $633,162 Federal Funds expenditure limitation from increases in Coronavirus Response and Relief Supplemental Appropriations Act (CCRRSAA) and American Rescue Plan Act (ARPA) federal grant funds for COVID-19 related costs. Other Funds expenditure limitation of $1,145,989 and three positions (2.01 FTE) was approved to restore capacity in the Operations and Pavement Maintenance divisions back to pre-pandemic levels. The additional funding comes from a favorable revenue forecast on the aviation fuels tax.

Three aviation projects supported by General Fund that are part of the Rural Infrastructure package were also approved by the Subcommittee:

- $2,598,406 for runway and electrical rehabilitation at the Cape Blanco State Airport
- $540,388 for distribution to the City of Salem for the Salem Municipal Airport upgrade
- $750,000 for distribution to Josephine County for a Jet A and Avgas aircraft fueling system at the Illinois Valley Airport

Department of Transportation

The Subcommittee approved an additional $25 million General Fund for 2021-23 biennial expenses associated with Oregon Department of Transportation (ODOT) debris removal expenses associated with the 2020 wildfire season, augmenting $14.4 million appropriated in the 2021-23 legislatively adopted budget. This funding supports work that is not eligible to be paid from State Highway Fund costs, including private property debris removal, and FEMA match requirements. Expenditures for cleanup activities have not followed originally anticipated schedules; instead of most payments being made in 2019-2021 as originally anticipated, only $38.4 million of a total appropriation of $93.75 million was expended in that biennium.

Also approved was an additional $3,349,960 General Fund -- and a corresponding decrease in funding from ARPA funds transferred to ODOT from the Department of Administrative Services -- for rehabilitation of the Lake County Railroad, as state funding will be used as non-federal match for a Federal Railroad Administration grant.

General Fund in the amount of $7,000,000 was added for deposit into a subaccount of the Oregon Transportation Investment Fund, to fund projects that reduce collisions between wildlife and vehicles. The funds will be distributed for a range of wildlife corridor project needs, including but not limited to project feasibility studies, planning, construction, retrofit and maintenance of wildlife road crossing infrastructure, roadkill tracking and studies, animal detection systems, signage, direction fencing, wildlife jump outs, and matching funds requirements for projects. The Department is to consult with the State Department of Fish and Wildlife and may partner with or make distributions to Tribal governments, counties, cities, or other public or private entities for projects. Distributions are to be prioritized for those projects that fill funding

gaps for wildlife road crossings and habitat connectivity that are not otherwise budgeted for or required under other federal or state obligations. A corresponding Other Funds expenditure limitation for this purpose was also approved.

A $1.5 million non-recurring General Fund appropriation to ODOT was approved for the purpose of remediating damage sustained to North Fork Road in Marion County during the 2020 wildfires. Funding is intended to help replace guard rails, replace signs and gates, ease access limitations; and pay for costs associated with replacing the Elkhorn single lane wood and steel bridge.

An increase in Other Funds expenditure limitation in the amount of $3,636,767 was approved to provide dedicated resources for the Interstate Bridge replacement project. Per a Memorandum of Intent between ODOT and the Washington State Department of Transportation (WSDOT) and legislative engagement guiding the work of both entities, project costs and staffing are being shared between the two states. The funds support 12 permanent positions (9.42 FTE), attributable to ODOT. These positions are being funded from $45 million in Federal Highway Administration formula allocations (budgeted as Other Funds) that ODOT has committed to the project. Between 2019 and late 2021, ODOT had been leveraging earlier applicable work from the Columbia River Crossing effort dating from 2005-2013, and staffing the initial phases of the project with existing resources; dedicated resources and attention are now required to begin construction by 2025, per the current project schedule. The following positions are created as permanent, due to the project spanning multiple biennia:

- A dedicated program administrator, responsible for developing and building a project that attains the bi-state design and construction objectives;
- An assistant program administrator, to oversee joint project elements and coordination between Oregon and Washington, to achieve the design elements, construction, and procurement activities necessary to get to completion, pursuant to policy objectives of state policy makers;
- A deputy environmental manager position to navigate compliance with federal, state, and local environmental laws;
- A contracts manager to oversee the development and negotiation of agreements with agencies, vendors, and consultants;
- An executive support specialist to support meetings, summaries, reporting requirements, and serve as a point of contact for customers;
- A community and government relations manager to facilitate outreach, coordinate feedback, and notify staff and policy makers of state and local issues;
- A deputy design manager focused on roadway and interchange engineering;
- A cultural resource coordinator to facilitate cooperation with state historic preservation offices and Native American nations;
- A lead traffic engineer; A finance manager responsible for financial modeling, coordination, and planning;
- A tolling manager, to develop and oversee a tolling plan that aligns with Oregon and Washington policy; and
- A real estate services manager to prepare and manage rights of way negotiation, acquisition, and relocation.

An increase in Other Funds expenditure limitation in the amount of $5,248,462 was approved for Driver and Motor Vehicle Services, to extend 46 limited duration Transportation Services Representative 1 positions (34.50 FTE) that were due to expire in February 2022. The extension will meet existing and anticipated customer service demands for DMV transactions, including Real ID credentials. The positions are supported by

DMV fee revenue, sufficient to support the request. The Department projects an estimated 814,000 Real ID transactions between January 2022 and June 30, 2022.

Other Funds expenditure limitation was approved to accommodate the expenditure of American Rescue Plan Act funds transferred from the Department of Administrative Services. ODOT will provide grants on a one-time basis to the following entities for the following projects:

- $3,000,000 to Marion County Public Works Department for Safety Corridor improvements;
- $2,960,000 to the City of Canby for the extension of Walnut Street;
- $9,400,000 to Crook County for extension of Combs Flat Road; and
- $500,000 to the City of Dufur for sidewalk renovation.

Legislative Fiscal Office

900 Court St. NE, H-178
Salem OR 97301
503-986-1828

Oregon Legislative Emergency Board

Sen. Peter Courtney, Senate Co-Chair
Rep. Dan Rayfield, House Co-Chair

Certificate

June 3, 2022

Pursuant to the provisions of ORS 291.328, and acting under the authority of ORS 291.326(1)(a), (b), (c), (d); ORS 291.371; and ORS 291.375; this hereby certifies that the Emergency Board, meeting via remote interface on June 3, 2022, took the following actions:

1. **Commission on Judicial Fitness and Disability**
   Acknowledged receipt of a report on compensation plan changes.

2. **Oregon Judicial Department**
   Approved, retroactively, the submission of a federal grant application to the U.S. Department of Justice, Bureau of Justice Assistance, in the amount of $2,000,000 over a period of four federal fiscal years, to improve, expand, and enhance adult drug courts.

3. **Public Defense Services Commission**
   Acknowledged receipt of a report on compensation plan changes.

4. **Public Defense Services Commission**
   Acknowledged receipt of a report on the agency's reorganization.

5. **Public Defense Services Commission**
   Acknowledged receipt of a report on a financial update; and authorized the transfer of $1,250,000 from the General Fund appropriation established for the Public Defense Services Commission by section 1(3), chapter 444, Oregon Laws 2021, Appellate Division, to the General Fund appropriation established for the Public Defense Services Commission by section 1(6), chapter 444, Oregon Laws 2021, Court Mandated Expenses; authorized the transfer of $10,602,500 from the General Fund appropriation established for the Public Defense Services Commission by section 1(4), chapter 444, Oregon Laws 2021, Trial Criminal Division, to the General Fund appropriation established for the Public Defense Services Commission by section 1(6), chapter 444, Oregon Laws 2021, Court Mandated Expenses; and authorized the transfer of $7,706,454 from the General Fund appropriation established for the Public Defense Services Commission by section 1(5), chapter 444, Oregon Laws 2021, Nonroutine Expenses, to the General Fund appropriation established for the Public Defense Services Commission by section 1(6), chapter 444, Oregon Laws 2021, Court Mandated Expenses; to align General Fund appropriations with expenditures in support of the agency's legislative approved programs.

6. **Public Defense Services Commission**
Allocated $413,011 from the Emergency Fund established by section 1, chapter 669, Oregon Laws 2021, to supplement the appropriation made to the Public Defense Services Commission by section 1(8), chapter 444, Oregon Laws 2021, Administrative Services Division, for a one fiscal year contract extension with the Oregon Judicial Department for information technology support.

7. **Public Defense Services Commission**
Allocated $70,250,989 from the special purpose appropriation made to the Emergency Board by section 3(1)(a), chapter 444, Oregon Laws 2021, to supplement the appropriation made to the Public Defense Services Commission by section 1(4), chapter 444, Oregon Laws 2021, Trial Criminal Division; allocated $14,554,511 from the special purpose appropriation made to the Emergency Board by section 3(1)(b), chapter 444, Oregon Laws 2021, to supplement the appropriation made to the Public Defense Services Commission by section 1(5), chapter 444, Oregon Laws 2021, Nonroutine Expenses; allocated $5,002,135 from the special purpose appropriation made to the Emergency Board by section 3(1)(c), chapter 444, Oregon Laws 2021, to supplement the appropriation made to the Public Defense Services Commission by section 1(6), chapter 444, Oregon Laws 2021, Court Mandated Expenses; and allocated $10,192,365 from the special purpose appropriation made to the Emergency Board by section 3(1)(d), chapter 444, Oregon Laws 2021, to supplement the appropriation made to the Public Defense Services Commission by section 1(7), chapter 444, Oregon Laws 2021, Juvenile Division; for public defense services.

8. **Public Defense Services Commission**
Allocated $94,155 from the Emergency Fund established by section 1, chapter 669, Oregon Laws 2021, to supplement the appropriation made to the Public Defense Services Commission by section 1(8), chapter 444, Oregon Laws 2021, Administrative Services Division, to fund the administrative reclassification of a Procurement Analyst 1 position to a Manger 2 position.

9. **State Treasurer**
Increased the Other Funds expenditure limitation established for the State Treasurer by section 1(2), chapter 443, Oregon Laws 2021, Trust Property Services, by $177,320, and authorized an increase of 0.59 FTE, to fund the reclassification of four positions and increase of two positions from part-time to full-time for the Trust Property Program.

10. **Higher Education Coordinating Commission**
Established a General Fund appropriation by allocating $19,000,000 from the special purpose appropriation made to the Emergency Board by section 455(1), chapter 110, Oregon Laws 2022, to the Higher Education Coordinating Commission, for the implementation of the Oregon Tribal Student Grant Program.

12. **Department of Education**
Approved, retroactively, the submission of a federal grant application to the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, in the amount of $5,400,000 over a period of five years, to support the development, implementation, and evaluation of a sustainable

infrastructure for school-based mental health, promote healthy social and emotional development of school-aged youth, and prevent youth violence in school settings.

13. Department of Education

Approved the submission of a federal grant application to the U.S. Department of Health and Human Services, Administration for Children and Families, in the amount of up to $1,600,000 over a period of four years, to design and conduct research on how state child care policies are implemented into practice and to measure the effect of state and federal investments on provider engagement in state-funded child care programs.

15. Oregon Health Authority

Allocated $30,000,000 from the special purpose appropriation made to the Emergency Board by section 281(1), chapter 669, Oregon Laws 2021, to supplement the appropriation made to the Oregon Health Authority by section 1(1), chapter 668, Oregon Laws 2021, Health Systems, Health Policy and Analytics, and Public Health; and increased the Federal Funds expenditure limitation established for the Oregon Health Authority by section 5(1), chapter 668, Oregon Laws 2021, Health Systems, Health Policy and Analytics, and Public Health, by $45,000,000; for the Oregon Essential Workforce Health Care Program.

16. Oregon Health Authority

Allocated $42,500,000 from the special purpose appropriation made to the Emergency Board by section 385(1), chapter 110, Oregon Laws 2022, to supplement the appropriation made to the Oregon Health Authority by section 1(1), chapter 668, Oregon Laws 2021, Health Systems, Health Policy and Analytics, and Public Health; and increased the Federal Funds expenditure limitation established for the Oregon Health Authority by section 5(1), chapter 668, Oregon Laws 2021, Health Systems, Health Policy and Analytics, and Public Health, by $112,000,000; for increasing behavioral health provider rates.

17. Department of Human Services

Established an Other Funds expenditure limitation of $4,432,000 for the Department of Human Services, Aging and People with Disabilities program; and established an Other Funds expenditure limitation of $3,347,000 for the Department of Human Services, Intellectual and Developmental Disabilities program, for funding from the Coronavirus Relief Fund received by the Department of Administrative Services and transferred to the Department of Human Services; for one-time worker incentive payments to eligible direct care workers in nursing facilities and group homes.

18. Department of Human Services

Established a General Fund appropriation by allocating $5,000,000 from the special purpose appropriation made to the Emergency Board by section 167(1), chapter 669, Oregon Laws 2021, to the Department of Human Services, for drought response efforts, with the understanding the Department of Administrative Services will unschedule $4,000,000 of the amount until the agency provides the Legislative Fiscal Office and Chief Financial Office a spending plan.

19. Department of Human Services

Acknowledged receipt of various reports required by budget notes related to recent investments in long-term care capital improvement and emergency preparedness, long-term care workforce development and training, and foster care respite services, as well as barriers to mental health for individuals served by the Aging and People with Disabilities and the Intellectual and Developmental Disabilities programs.

20. Department of Justice

Increased the Federal Funds expenditure limitation established for the Department of Justice by section 3(3), chapter 427, Oregon Laws 2021, Crime Victim and Survivor Services Division, by $35,110,718, for a federal Victims of Crime Act grant.

21. Department of Justice

Allocated $357,161 from the Emergency Fund established by section 1, chapter 669, Oregon Laws 2021, to supplement the appropriation made to the Department of Justice by section 1(4), chapter 427, Oregon Laws 2021, Crime Victim and Survivor Services, and authorized the establishment of three limited duration positions (1.42 FTE), for the administration of a community based violence prevention program.

22. Oregon Military Department

Established a General Fund appropriation by allocating $63,050 from the Emergency Fund established by section 1, chapter 669, Oregon Laws 2021, to the Oregon Military Department, for Capital improvement; and increased the Federal Funds expenditure limitation established for the Oregon Military Department by section 3(5), chapter 662, Oregon Laws 2021, Capital improvement, by $189,150; for the installation of new computer fiberoptic cable at the Senator Jackie Winters Oregon National Guard Youth Challenge Campus.

23. Criminal Justice Commission

Approved, retroactively, the submission of a federal grant application to the U.S. Department of Justice, Office of Justice Programs, in the amount of up to $250,000, for a Prison Rape Elimination Act Standards grant.

24. Department of Corrections

Acknowledged receipt of a report on overtime usage.

25. Oregon State Police

Approved, retroactively, the submission of a federal grant application to the U.S. Department of Justice, Bureau of Justice Statistics, in the amount of up to $2,000,000, for the national criminal background check system.

26. Oregon State Police

Approved, retroactively, the submission of a federal grant application to the U.S. Department of Justice, Office of Community Oriented Policing Services, in the amount of up to $175,000, for the Law Enforcement Mental Health and Wellness grant.

27. Oregon State Police

Approved, retroactively, the submission of a federal grant application to the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, in the amount of $966,156, for hazardous materials emergency preparedness.

28. Department of Public Safety Standards and Training

Increased the Other Funds expenditure limitation established for the Department of Public Safety Standards and Training by section 2(2), chapter 381, Oregon Laws 2021, Public Safety Memorial Fund, by $429,930, to accommodate an increase in expenditures from the Fund.

29. Housing and Community Services Department

Allocated $1,000,000 from the special purpose appropriation made to the Emergency Board by section 8(1), chapter 556, Oregon Laws 2021, to supplement the appropriation made to the Housing and Community Services Department by section 1, chapter 556, Oregon Laws 2021, for administrative expenses associated with program start-up for a grant program that supports gap financing for affordable housing projects co-located with child care or early learning centers, with the understanding that the Housing and Community Services Department will return to the Emergency Board to request remaining funds when a third-party program administrator has been selected and solicitation for project proposals is ready to proceed.

30. Oregon Business Development Department

Increased the Federal Funds expenditure limitation established for the Oregon Business Development Department by section 4(1), chapter 560, Oregon Laws 2021, Business, innovation and trade, by $26,500,000, and authorized the establishment of four permanent positions (2.00 FTE), for the administration and expenditure of federal State Small Business Credit Initiative program funds.

31. Oregon Business Development Department

Established an Other Funds expenditure limitation of $287,800 for the Oregon Business Development Department, for Business, innovation and trade, for funding from the Coronavirus Relief Fund received by the Department of Administrative Services and transferred to the Oregon Business Development Department, for the Rural Broadband Capacity Program.

32. Oregon Business Development Department

Approved, retroactively, the submission of a federal grant application to the U.S. Department of Agriculture, Forest Services, in the amount of $13,000,000, to provide loans and grants for economic development projects that benefit local communities in the vicinity of the Opal Creek Wilderness area.

33. Oregon Business Development Department

Approved, retroactively, the submission of a federal grant application to the U.S. Environmental Protection Agency, in the amount of $5,000,000, for the capitalization of the Oregon Brownfields Revolving Loan Fund.

35. Department of State Lands

Increased the Federal Funds expenditure limitation established for the Department of State Lands by section 3(2), chapter 607, Oregon Laws 2021, Common School Fund programs, by $146,116, for the expenditure of federal grant funds awarded by the U.S. Environmental Protection Agency, Wetland Program Development program, for the development of an electronic geographic information system data set for wetlands and waters delineation and determination records.

36. Department of State Lands

Increased the Federal Funds expenditure limitation established for the Department of State Lands by section 3(2), chapter 607, Oregon Laws 2021, Common School Fund programs, by $236,833, for the expenditure of federal grant funds awarded by the U.S. Environmental Protection Agency in the previous two biennia, for wetlands programs.

39. Oregon Department of Energy

Approved, retroactively, the submission of a federal grant application to the U.S. Department of Energy, in the amount of $200,000, to support state energy security planning.

40. Department of Land Conservation and Development

Approved, retroactively, the submission of a federal grant application to the U.S. Economic Development Administration, in the amount of up to $500,000, to assist with mitigation of regulatory barriers to the use of mass timber products.

43. Department of Agriculture

Allocated $1,192,241 from the special purpose appropriation made to the Emergency Board by section 167(1), chapter 669, Oregon Laws 2021, to supplement the appropriation made to the Department of Agriculture by section 7, chapter 4, Oregon Laws 2021 (second special session), for the suppression of grasshoppers and crickets.

45. Department of Agriculture

Approved, retroactively, the submission of a federal grant application to the U.S. Department of Agriculture, in the amount of up to $62,000,000 over a period of eight years, for Climate Smart Commodities.

46. Department of Forestry

Approved, retroactively, the submission of a federal grant application to the U.S. Economic Development Administration, in the amount of $3,250,000, to accelerate forest restoration and provide additional wood fiber to support mass-timber manufacturing.

47. Department of Forestry

Increased the Federal Funds expenditure limitation established for the Department of Forestry by section 4(3), chapter 605, Oregon Laws 2021, State forests, by $1,115,923, for the expenditure of federal grant awards for Topographical Data and Habitat Conservation Plan Development.

48. Department of Forestry
Established a General Fund appropriation by allocating $50,000,000 from the special purpose appropriation made to the Emergency Board by section 312(1), chapter 110, Oregon Laws 2022, to the Department of Forestry, for cash flow needs.

49. Department of Forestry
Increased the Federal Funds expenditure limitation established for the Department of Forestry by section 4(5), chapter 605, Oregon Laws 2021, Private Forests, by $17,000,000, for expenditure of federal grant funds awarded by the U.S. Forest Service for the Forest Legacy Program.

51. Department of Forestry
Increased the Other Funds expenditure limitation established for the Department of Forestry by section 2(4), chapter 605, Oregon Laws 2021, Federal forest restoration, by $3,000,000, for the expenditure revenues resultant from federal forest restoration work under Good Neighbor Authority agreements.

52. Department of Forestry
Allocated $1,957,075 from the Emergency Fund established by section 1, chapter 669, Oregon Laws 2021, to supplement the appropriation made to the Department of Forestry by section 1(2), chapter 605, Oregon Laws 2021, Fire protection; and increased the Other Funds expenditure limitation established for the Department of Forestry by section 2(2), chapter 605, Oregon Laws 2021, Fire protection, by $315,000; for payment of premium costs associated with the state's 2022 catastrophic wildfire insurance policy.

53. Department of Forestry
Increased the Federal Funds expenditure authority established for the Department of Forestry by section 4(5), chapter 605, Oregon Laws 2021, Private forests, by $598,368, and authorized the establishment of six limited duration positions (3.00 FTE), to address workload staffing issues resultant from increased federal funding for existing programs.

54. Department of Geology and Mineral Industries
Approved the submission of a federal grant application to the Federal Emergency Management Agency, in the amount of $1,017,215, for the Cooperating Technical Partners Program.

55. Department of Geology and Mineral Industries
Approved, retroactively, the submission of a federal grant application to the National Oceanic and Atmospheric Administration, in the amount of $494,331, for the National Tsunami Hazard Mitigation Program.

56. Department of Environmental Quality
Approved, retroactively, the submission of a federal grant application to the Environmental Protection Agency, in the amount of $500,000, to enhance air quality monitoring.

57. Department of Environmental Quality
Approved, retroactively, the submission of a federal grant application to the U.S. Environmental Protection Agency, in the amount of $1,919,100, for projects under the Pollution Prevention Grant Program.

59. Department of Transportation
Increased the Other Funds expenditure limitation established for the Department of Transportation by section 2(13), chapter 442, Oregon Laws 2021, Rail, by $10,100,000, for rail crossing safety improvements; and increased the Other Funds and Federal Funds expenditure limitations, and authorized the establishment of limited duration and permanent positions, for administration of additional transportation funding under the Infrastructure Investment and Jobs Act federal transportation funding authorization; per the attached table.

60. Department of Transportation
Approved, retroactively, the submission of a federal grant application to the Federal Motor Carrier Safety Administration, in the amount of $2,000,000, to implement an information technology solution for an Over-Dimension Permitting System.

61. Department of Transportation
Approved, retroactively, the submission of a federal grant application to the U.S. Department of Transportation, in the amount of $20,000,000, for improvements to Oregon 99 in the Phoenix area.

62. Department of Transportation
Approved, retroactively, the submission of a federal grant application to the U.S. Department of Transportation, in the amount of $18,000,000, for safety improvements on Outer Powell Boulevard.

63. Department of Transportation
Approved, retroactively, the submission of a federal grant application to the Federal Transit Administration, in the amount of up to $14,155,246, to fund purchases of transit vehicles and other transit costs.

64. Department of Transportation
Approved, retroactively, the submission of a federal grant application to the U.S. Department of Transportation, in the amount of $36,000,000, for improvements to the Interstate 5 Aurora-Donald interchange.

65. Department of Transportation
Approved, retroactively, the submission of a federal grant application to the U.S. Department of Transportation, in the amount of $52,650,000, for freight connectivity and multimodal improvements to US 97 in the Redmond area.

66. Department of Transportation
Approved, retroactively, the submission of a federal grant application to the U.S. Department of Transportation, in the amount of $120,000,000, for improvements to Interstate 205.

67. Department of Transportation
Approved the submission of a federal grant application to the Federal Highway Administration, in the amount of $360,000, to update the Rogue Umpqua National Scenic Byway Corridor Management Plan.

68. Department of Aviation
Increased the Other Funds expenditure limitation established for the Department of Aviation by section 1(4), chapter 602, Oregon Laws 2021, General aviation entitlement grant program, by $227,444; and increased the Federal Funds expenditure limitation established for the Department of Aviation by section 2(2), chapter 602, Oregon Laws 2021, General aviation entitlement grant program, by $2,047,000; for infrastructure projects at ten state-owned airports.

70. Oregon Board of Dentistry
Acknowledged receipt of a report on adoption of dental therapy fees.

71. Oregon State Board of Nursing
Increased the Other Funds expenditure limitation established for the Oregon State Board of Nursing by section 1, chapter 310, Oregon Laws 2021, by $664,645, and authorized the establishment of two limited duration positions (1.08 FTE), for increased licensing and legal costs.

72. Public Employees Retirement System
Increased the Other Funds expenditure limitation established for the Public Employees Retirement System by section 1(6)(b), chapter 145, Oregon Laws 2021, Core Retirement System: ORION Modernization Project, by $3,797,797, and authorized the establishment of six limited duration positions (2.75 FTE), for the pre-planning phase of the ORION Modernization Project.

73. Bureau of Labor and Industries
Approved, retroactively, the submission of a federal grant application to the U.S. Department of Labor, in the amount of $4,000,000, to expand the number of registered apprenticeship programs and apprentices across the state.

74. Department of Administrative Services
Increased the Other Funds expenditure limitation established for the Department of Administrative Services by section 2(7), chapter 425, Oregon Laws 2021, Enterprise Goods and Services, by $3,266,681, to address costs associated with moving the implementation date of the Workday Payroll and Time Tracking project from July 1, 2022 to December 1, 2022.

75. Department of Administrative Services
Increased the Other Funds expenditure limitation established for the Department of Administrative Services by section 2(4), chapter 425, Oregon Laws 2021, Chief Human Resources Office, by $505,831, and authorized the establishment of three limited duration positions (1.50 FTE), to address increased workload and to develop the state's workforce.

76. Department of Administrative Services
Acknowledged receipt of a report on compensation plan changes.

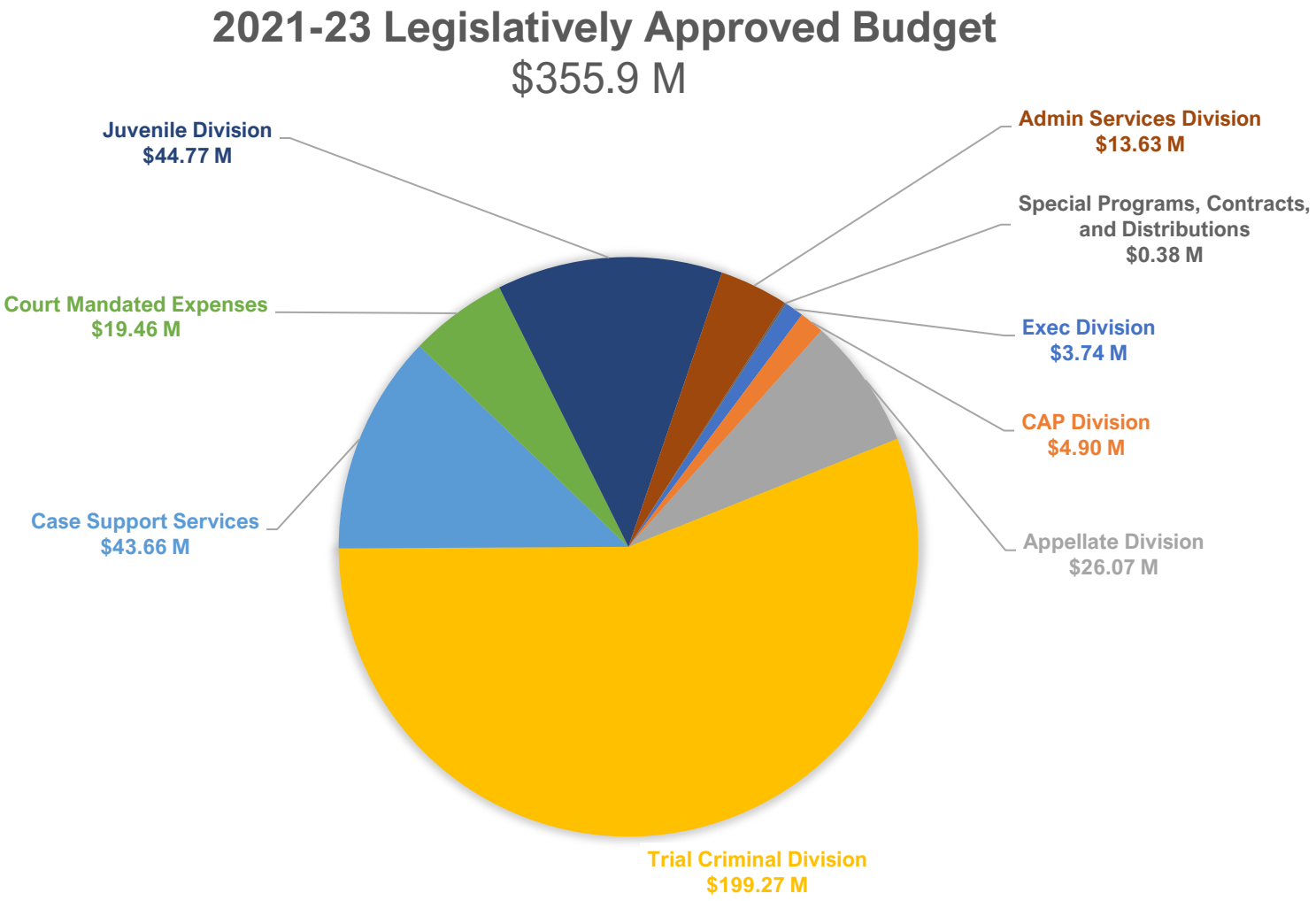
77. Department of Revenue
Acknowledged receipt of a report on the conditions of the Revenue building facility relating to seismic and architectural studies.

78. Department of Revenue
Allocated $617,350 from the Emergency Fund established by section 1, chapter 669, Oregon Laws 2021, to supplement the appropriation made to the Department of Revenue by section 1(1), chapter 441, Oregon Laws 2021, Administration; increased the Other Funds expenditure limitation established for the Department of Revenue by section 2(1), chapter 441, Oregon Laws 2021, Administration, by $154,377; and authorized the establishment of seven permanent positions (3.21 FTE); to create a new internal controls office comprised of compliance, risk, and business continuity functions to improve the security of taxpayer financial and personal information.

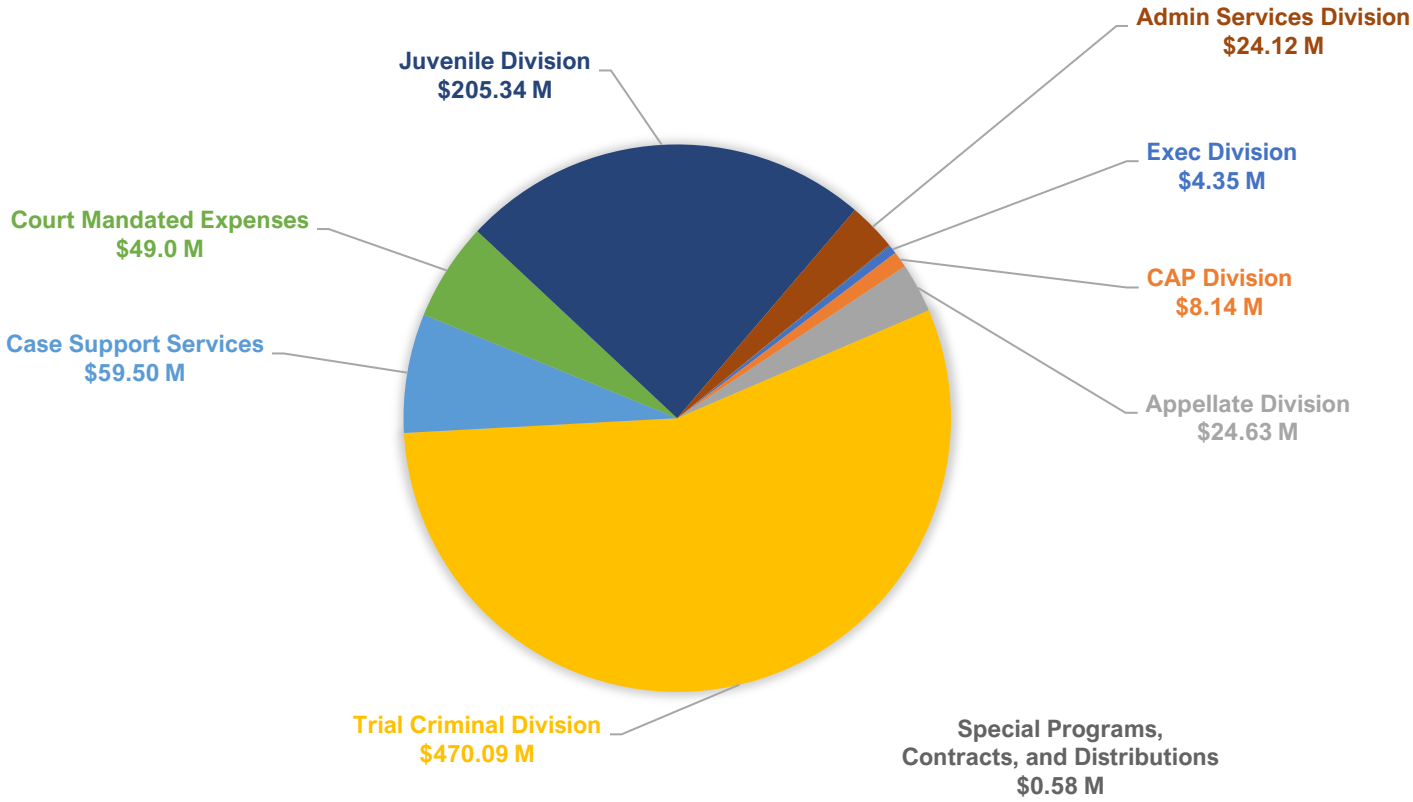
79. Oregon Employment Department
Approved, retroactively, the submission of a federal grant application to the U.S. Department of Labor, in the amount of $3,000,000 over three years, to assist underserved workers in understanding and receiving unemployment insurance benefits and services.

80. Housing and Community Services Department
Established a General Fund appropriation by allocating $5,000,000 from the Emergency Fund established by section 1, chapter 669, Oregon Laws 2021, to the Housing and Community Services Department, for distribution to Home Forward to administer an affordable housing stabilization grant fund for affordable housing providers that can demonstrate outstanding debt from past due rent accumulated by residents in affordable units between April 1, 2020 and April 30, 2022.

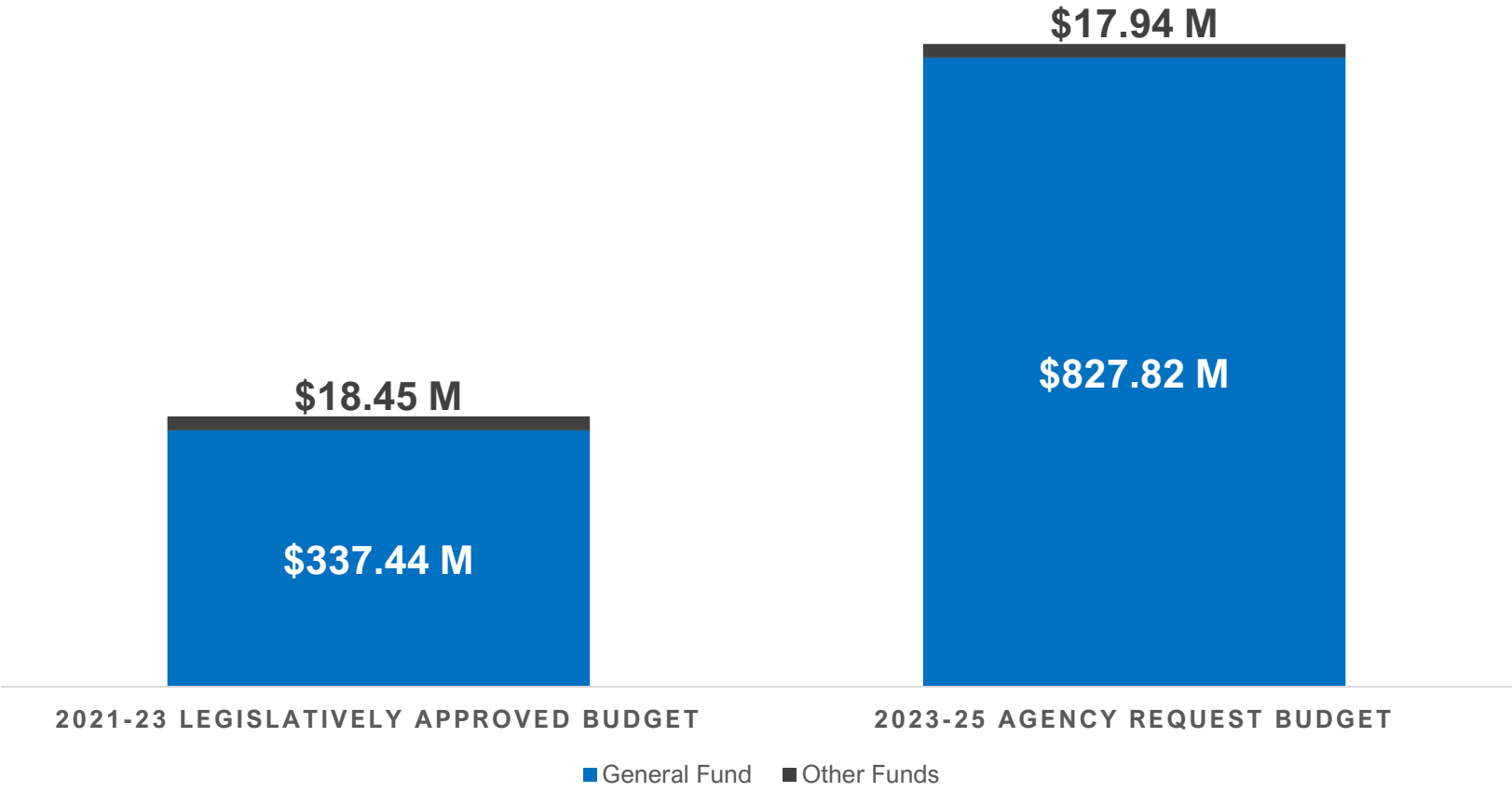
DEPARTMENT OF TRANSPORTATION 2021-23			
June 2022			
Division/Appropriation Reference	**Fund Type**	**Adjustments to Legislatively Approved Budget**	**Adjustments to Position Authority**
Expenditure Limitation Adjustments:			
Maintenance and emergency relief programs			
Ch 442 2(2), OL 2021	Other	9,231,721	
Preservation program			
Ch. 442 2(3), OL 2021	Other	8,948,822	4 pos / 1.29 FTE
Bridge program			
Ch 442 2(4), OL 2021	Other	99,495,444	6 pos / 2.13 FTE
Operations program			
Ch 442 2(5), OL 2021	Other	23,852,333	6 pos / 2.13 FTE
Modernization program			
Ch 442 2(6), OL 2021	Other	20,815,887	6 pos / 2.17 FTE
Special Programs			
Ch 442 2(7), OL 2021	Other	96,868,520	18 pos / 6.58 FTE
Local government program			
Ch 442 2(8), OL 2021	Other	103,467,668	2 pos / 0.75 FTE
Commerce and compliance			
Ch 442 3(2), OL 2021	Federal	4,000,000	7 pos / 3.42 FTE
Policy, data and analysis			
Ch 442 2(11), OL 2021	Other	36,878,097	9 pos / 4.17 FTE*
*2 positions / 0.84 FTE authorized as limited duration			
Public transit			
Ch 442 2(12), OL 2021	Other	3,333,333	
Ch 442 3(4), OL 2021	Federal	88,800,000	
	Total	92,133,333	7 pos / 2.38 FTE
Support services			
Ch 442 2(15), OL 2021	Other	965,558	7 pos / 3.50 FTE*
*2 pos / 1.00 FTE authorized as limited duration			
ODOT headquarters			
Ch 442 2(16), OL 2021	Other	2,709,407	4 pos / 1.25 FTE
Department Total			
	Other	406,566,790	
	Federal	92,800,000	
	Total	499,366,790	76 pos / 29.77 FTE


2021-23 Legislatively Approved Budget
$355.9 M
Juvenile Division
$44.77 M
Admin Services Division
$13.63 M
Special Programs, Contracts, and Distributions
$0.38 M
Court Mandated Expenses
$19.46 M
Exec Division
$3.74 M
CAP Division
$4.90 M
Case Support Services
$43.66 M
Appellate Division
$26.07 M
Trial Criminal Division
$199.27 M

2023-25 Agency Request Budget
$845.8 M



Public Defense Services Commission
Budget by Appropriated Fund



2023-25 Agency Request Budget
Budget by Functional Classification

Agency Summary

Overview

The Executive, CAP, and Administrative Services Divisions provide oversight and support to public defense providers. About 4.3 percent of the PDSC requested budget supports these administrative functions, with 95.7 percent dedicated to providing client services.

Funding

PDSC	GF	OF	TF	POS	FTE
LAB 21-23	337,439,650	18,449,667	355,889,317	113	107.56
CSL 23-25	368,774,821	17,937,116	386,711,937	104	103.80
ARB 23-25	827,818,286	17,937,116	845,755,402	166	164.24
Difference	490,378,636	(512,551)	489,866,085	53	57
Pct Change	145.32%	-2.78%	137.65%	46.90%	52.70%

PDSC	GF	OF	TF	POS	FTE
LAB 21-23	337,439,650	18,449,667	355,889,317	113	107.56
CSL 23-25	368,774,821	17,937,116	386,711,937	104	103.80
Difference	31,335,171	(512,551)	30,822,620	(9)	(4)
Pct Change	9.29%	-2.78%	8.66%	-7.96%	-3.50%

Strategic Funding Investments

The following Excellence in State Government investments above the CSL are being proposed to improve services provided to Oregonians:

PDSC	GF	OF	TF	POS	FTE
CSL 23-25	368,774,821	17,937,116	386,711,937	104	103.80
ARB 23-25	827,818,286	17,937,116	845,755,402	166	164.24
Difference	459,043,465	-	459,043,465	62	60
Pct Change	124.48%	0.00%	118.70%	59.62%	58.23%

Agency Summary

Overview

Descriptions of each Policy Option Package (POP) are included herein in the appropriate program budget narrative of the commission's agency request budget. The investments are proposed through the following list of each package:

Policy Option Package Description		General Fund	Other Funds	Total Funds	Positions	FTE
101	Provider Compensation	41,691,375		41,691,375		
102	Provider Staffing	125,115,536		125,115,536		
103	Expansion of PCRP	32,481,974		32,481,974		
104	Program Design and Research	3,355,958		3,355,958	13	11.68
105	Financial/Cases Management System	7,472,009		7,472,009	3	3.00
106	Quick Response Unit	10,754,145		10,754,145	36	36.00
107	OJD ETS Services	929,270		929,270		
108	Limited Duration to Permanent	1,969,104		1,969,104	7	7.00
109	Case Support Services Position	235,394		235,394	1	1.00
110	Guardianship Program	291,318		291,318	1	1.00
111	Commissioner Stipend	112,234		112,234		
112	Mandated Caseload for Juvenile	2,705,261		2,705,261		
113	Capacity Expansion	113,722,288		113,722,288		
Total Policy Option Packages		**340,835,866**	**0**	**340,835,866**	**61**	**59.68**

The Agency is organized into nine divisions:

The **Executive Division** contains the agency's core leadership team and has primary responsibility for agency governance and ensuring compliance with ORS Chapter 151. ORS 151.216 directs the agency "to maintain a public defense system that ensures the provision of public defense services consistent with the Oregon Constitution, United States Constitution, and Oregon and national standards of justice."

Executive	GF	OF	TF	POS	FTE
LAB 21-23	3,743,464		3,743,464	8	7.88
CSL 23-25	3,201,876		3,201,876	6	6.00
ARB 23-25	4,351,766		4,351,766	10	9.76
GB 23-25					
LAB 23-25					
Difference	608,302		608,302	2	1.88
Pct Change	16.2%		16.2%	25.0%	23.9%

The **Compliance, Audit & Performance (CAP) Division** provides oversight of and support to court-appointed counsel in criminal, juvenile dependency, juvenile delinquency, civil commitment, post-conviction relief, and habeas corpus cases.

Compliance, Audit, and Performance	GF	OF	TF	POS	FTE
LAB 21-23	4,904,660		4,904,660	13	11.27
CSL 23-25	5,082,565		5,082,565	11	11.00
ARB 23-25	8,137,944		8,137,944	24	22.80
GB 23-25					
LAB 23-25					
Difference	3,233,284		3,233,284	11	11.53
Pct Change	65.9%		65.9%	84.6%	102.3%

Agency Summary

Overview

The **Appellate Division** provides constitutionally and statutorily mandated representation to financially eligible individuals in criminal, parole, juvenile delinquency, juvenile dependency, and termination of parental rights cases on appeal or judicial review. We provide this service through direct representation by attorney professionals and legal support staff employed by OPDS in the Criminal Appellate Section and the Juvenile Appellate Section.

Appellate	GF	OF	TF	POS	FTE
LAB 21-23	26,068,312		26,068,312	58	57.38
CSL 23-25	25,992,983		25,992,983	58	57.80
ARB 23-25	24,632,983		24,632,983	58	57.80
GB 23-25					
LAB 23-25					
Difference	(1,435,329)		(1,435,329)	-	0.42
Pct Change	-5.5%		-5.5%	0.0%	0.7%

The **Trial Criminal Division** within OPDS is responsible for delivering quality and efficient public defense services statewide by contracting with various entities including public defender offices, consortia, firms, non-profit organizations, and individuals. The Trial Criminal Division is critical to the development, implementation, and monitoring of the contracts for attorney compliance and performance. For the 2023-25 biennium the Trial Criminal Division will focused on attorney contracts for adults.

Trial Criminal	GF	OF	TF	POS	FTE
LAB 21-23	199,267,268		199,267,268	-	-
CSL 23-25	180,964,555		180,964,555	-	-
ARB 23-25	470,093,065		470,093,065	36	36.00
GB 23-25					
LAB 23-25					
Difference	270,825,797		270,825,797	36	36.00
Pct Change	135.9%		135.9%		

Case Support Services (formerly Non-Routine Expenses (NRE)) provides timely pre-approval of "reasonable and necessary" expenses in support of public defense client cases.

Case Support Services	GF	OF	TF	POS	FTE
LAB 21-23	43,663,533		43,663,533	-	-
CSL 23-25	52,049,933		52,049,933	-	-
ARB 23-25	59,500,619		59,500,619	-	-
GB 23-25					
LAB 23-25					
Difference	15,837,086		15,837,086	-	-
Pct Change	36.3%		36.3%		

The **Court Mandated Expenses Division** funds trial and appellate representation for the following (a) the provision of attorney services not funded through a normal provider contract; and (b) discovery, postage, photocopying, parking, mileage, basic interpreter services, and costs associated with obtaining certain types of records (up to $300). Court Mandated Expenses exclude contract payments and NRE/CSS Expenses.

Court Mandated Expenses	GF	OF	TF	POS	FTE
LAB 21-23	15,006,403	4,449,667	19,456,070	-	-
CSL 23-25	18,335,583	3,937,116	22,272,699	-	-
ARB 23-25	45,058,048	3,937,116	48,995,164	-	-
GB 23-25					
LAB 23-25					
Difference	30,051,645	(512,551)	29,539,094	-	-
Pct Change	200.3%	-11.5%	151.8%		

The **Juvenile Division** provides for trial-level representation of financially eligible parents, children, and youth in juvenile dependency, termination-of-parental-rights, juvenile delinquency, and contested adoption cases. The Juvenile Division also provides guardians ad litem for parents whose rights the juvenile court determines need protection because they have a mental or physical disability that prevents them from understanding and/or assisting counsel in a dependency or termination-of-parental-rights case. For the 2023-25 biennium the Juvenile Division will represent budget and expenditures for all juvenile attorney (PCRP and non-PCRP) and case management contracts.

Juvenile	GF	OF	TF	POS	FTE
LAB 21-23	30,772,928	14,000,000	44,772,928	1	0.50
CSL 23-25	68,682,556	14,000,000	82,682,556	1	1.00
ARB 23-25	191,340,747	14,000,000	205,340,747	1	1.00
GB 23-25					
LAB 23-25					
Difference	160,567,819	-	160,567,819	-	0.50
Pct Change	521.8%	0.0%	358.6%	0.0%	100.0%

The **Administration Services Division** includes the Budget and Finance, Contract Services/Non-routine Expense, Human Resource Management, and Information Technology sections responsible for agency leadership and central agency administration ensuring compliance with ORS Chapter 151. ORS 151.216 directs the agency "to maintain a public defense system that ensures the provision of public defense services consistent with the Oregon Constitution, United States Constitution, and Oregon and national standards of justice.". Effective management of this program allows the agency's service delivery staff to focus on providing excellence in core business program delivery and customer assistance.

Agency Summary

Overview

Administrative Services	GF	OF	TF	POS	FTE
LAB 21-23	13,632,646		13,632,646	32	30.03
CSL 23-25	14,171,572		14,171,572	28	28.00
ARB 23-25	24,118,598		24,118,598	36	35.88
GB 23-25					
LAB 23-25					
Difference	10,485,952		10,485,952	4	5.85
Pct Change	76.9%		76.9%	12.5%	19.5%

The **Special Programs, Contracts, and Distributions Division** is currently comprised of the Guardianship Program, which is a statewide program that provides appointed counsel to eligible respondents or protected persons in guardianship or conservatorship cases.

Special Programs, Contracts, and Distributions	GF	OF	TF	POS	FTE
LAB 21-23	380,436		380,436	1	0.50
CSL 23-25	293,198		293,198	-	-
ARB 23-25	584,516		584,516	1	1.00
GB 23-25					
LAB 23-25					
Difference	204,080		204,080	-	0.50
Pct Change	53.6%		53.6%	0.0%	100.0%

Agency Summary

Overview

The Public Defense Services Commission (PDSC) is responsible for establishing and maintaining a public defense system that ensures the provision of public defense services in the most cost-efficient manner, consistent with the Oregon Constitution and the United States Constitution, as well as state and national standards of justice. The commission is an independent body governing the Office of Public Defense Services, as the administrative agency. The Chief Justice of the Oregon Supreme Court appoints members to the Commission. With the recent passage of House Bill 2003 (2021), membership of the Commission was expanded from seven to nine members who demonstrate a record of supporting public defense. The PDSC appoints the Executive Director for the Office of Public Defense Services (OPDS).

The 2021-23 legislatively adopted budget included an agency reorganization to provide better transparency, program management, and oversight. Previously, PDSC had three divisions: the Appellate Division, the Contract and Business Services Division, and the Professional Services Account. The recommended budget maintains, but reorganizes, the Appellate Division and structures the agency into seven additional divisions to make service delivery and budget authority more visible. The new divisions include the Executive Division, the Compliance, Audit, and performance Division, the Trial Criminal Division, Non-routine Expenses, Court Mandated Expenses, the Juvenile Division, and the Administrative Services Division. The 81st Legislative Assembly added a new division in February 2022, the Special Program, Contracts, and Distributions Division, which serves the Civil Protective Proceedings section.

Mission, Vision, and Authority

Mission Statement

The Public Defense Services Commission's mission is to ensure that eligible individuals have timely access to legal services consistent with Oregon and national standards of justice. The state further mandates the commission to administer "a public defense system that ensures the provision of public defense services in the most cost-efficient manner consistent with the Oregon Constitution, the United States Constitution, and Oregon and national standards of justice." ORS 151.216.

Statutory Authority

The commission's and agency's statutory authority is found at chapter 151 *et seq* off the Oregon Revised Statutes and chapter 400 of Oregon Laws 2021.

About the Agency Request Budget

The biennial budget is one of several documents guiding the programs, operations, and policies of the Office of Public Defense Services in the delivery and support of defense services within the State of Oregon. To best understand the context of the 2023-25 Agency Requested Budget and planning efforts, the reader is encouraged to review several other previously published items. This provides a well-rounded history and context of discussions and decisions. Not all history and context will be presented or discussed within this document and may leave the reader with many questions. Reviewing the documents listed below may answer many of the questions you may have as a reader:

- House Bills 5006 and 5030 (2021) (together "General Funding Measures"), including the budget reports by the Legislative Fiscal Office and Department of Administrative Services.
- Formal responses and presentations in response to HB 5030.
- Senate Bill 2003 (2021) and formal responses to requirements of SB 2003.
- The Sixth Amendment Center's report and analysis.
- The American Bar Association's study of Oregon's public defense services ("The Oregon Project").

This budget contemplates a fundamental roadmap for future development and expansion of the PDSC and public defense service delivery in Oregon.

A legislative work group was formed in early 2022 that anticipates recommending legislative changes and profound service delivery recommendations during a future legislative session. As such, the goals, objectives and recommendations within the 2023-25 Agency Request Budget solidify the infrastructure and operations of the PDSC and move forward with early and partial solutions to the current public defense delivery system. All recommendations and requests are designed to contribute toward future changes and allow for broad flexibility in implementation of any changes which the workgroup recommends.

Agency Summary

Overview

Agency History

The Public Defense Service Commission ("PDSC") was created by Senate Bill 145 (2001) following recommendations by House Bill 3598 (1999). The agency's primary obligation is to ensure financially eligible individuals receive access to competent counsel (public defense services) for eligible cases in Oregon's trial and appellate courts. The PDSC carries out its statutory mandate through the Office of Public Defense Services ("OPDS"). In chapter 151 of the Oregon Revised Statutes, the lawful governance provisions of the PDSC, had remained largely intact since its inception until the passage of House Bill 2003 in mid-2021.

That measure made several substantive changes to ORS Chapter 151 as a roadmap for modernizing the state's public defense system. Those amendments did not change the relationship between the PDSC and OPDS. Rather, the amendments modified the membership and composition of the PDSC, and they provided specific direction to the PDSC on the types of polices it needs to adopt to modernize trial-level public defense services. Those policy areas include:

- Public defense contracting systems;
- Public defense compensation and resources;
- Data collection;
- Training; and
- Equity and inclusion.

The policy areas listed above are the focus of the Commission and OPDS as it navigates new challenges during the 2021-23 biennium and works to transform itself into a higher functioning state agency; all while continuously improving the delivery of public defense services.

Public Defense Contracting Systems

Due to the criticisms of the former case-credit contracting model, and arguably the existence of constitutional problems, the PDSC directed OPDS to develop a new contracting model. That new model was implemented on January 1, 2021. It is a full-time equivalent ("FTE")/Caseload contract model. Rather than paying entities to cover an unlimited number of cases with a fixed fee per case, the agency is now funding entities based upon the number of FTE attorneys under contract to cover a projected caseload.

It is important to note that PDSC/OPDS does not provide direct criminal trial services to clients. Client representation is provided by the "provider community" in one of several forms depending on the case, client and geographic location. PDSC/OPDS contracts with the provider community and relies on the non-profit public defense provider, consortia providers and/or direct sole attorney providers to determine the best representation necessary to fulfill the state's constitutional requirements under the U.S. and Oregon constitutions.

The provider community is the employer for public defense attorneys and, as such, is responsible for adherence to employment laws including laws related to leaves and compensation. Some recently passed and implemented requirements for employers have substantially increased the cost to the non-profit organizations, and thus increased funding pressures on the PDSC. The contracted non-profit public defender offices are often represented union shops with their own internal bargaining agreements as well. PDSC/OPDS supplies the primary source of funds to provider entities so they can carry out their contractual obligations.

The number of attorneys in this contracting model is determined by dividing the state's projected total caseload need by the PDSC's caseload standard policies, with the result being the number of attorneys the agency needs to fund under contract.

HB 2003 requires the PDSC's contracting system to be transparent and to include stakeholder engagement. To that end, OPDS spells out in detail the amount of funding available per contracted provider, as well as the specific financial amount for administrative costs. It's also a requirement that all provider entity working pursuant to the contract have an opportunity to review the contract before it takes effect, so that the providers have transparent information on the amount of funding in the contract.

Additionally, in 2021, OPDS created the Contracts Enhancement Workgroup as a means to engage stakeholders on ways to improve the contracting model. The group made recommendations on caseload standards and weighting, data/reporting requirements, pay differentials, support staff ratios, and administrative costs, amongst other things. These recommendations have not yet been implemented but are under consideration for new contracts, which will take effect July 1, 2022.

OPDS is the primary employer of directly provided appellate defense services and as such has a staff of attorneys whose sole function is to represent clients on appeal. In cases where there is a conflict, OPDS will turn to panels of attorneys to handle the cases. These working relationships are not generally part of compensation issues as this side of the organization has already gone through compensation adjustment and rebalancing. However, non-appellate representation has not been part of the compensation adjustments.

Public Defense Compensation and Resources

Public defense compensation and resources is one of the biggest challenges facing the agency. Per the ABA report, the state lacks sufficient attorney resources to address the number of clients in need of public defense services. And the agency's inability to ensure adequate compensation for public defense attorneys has inhibited attorney recruitment and develop a necessary workforce for the future.

The agency needs to engage in significant work to develop attorney caseload and workload models that include price points for attorney compensation, support staff compensation, support staff ratios, administrative costs, as well as all overhead costs such as rent, utilities, IT, bar dues, continuing education costs, etc. Because the agency relied upon the case credit model since 1983, none of this work has been done prior to 2020, when the agency began developing the FTE contract model.

There has been some recent work toward the goals of HB 2003. As previously mentioned, the Contracts Enhancement Workgroup began exploring workloads, staffing ratios, and other administrative costs. And the ABA has published its recommended caseload standards. But it will take time for the agency to build out new models, in both structure and budget, to meet the obligations of HB 2003.

One important note here – there are structural issues regarding compensation. To the extent the PDSC relies exclusively upon independent contractors, the PDSC is legally prohibited from directing entities on how they distribute their funds or compensate individual employees of the provider. The agency can be transparent about how much funding is in the contract, but it cannot direct an independent contractor on how to compensate its members or employees. Recent changes to the contract structure, implemented on July 1, 2022, provide a structured tiering of compensation by attorney qualification level. That is to say, if the provider employs felony-qualified or murder-qualified staff, OPDS will pay a larger amount for a full caseload than for misdemeanor caseloads. This recognizes that not all attorneys have equal standing in the court system and that felony cases carry more value and effort to handle.

It also incents public defenders and attorneys that want to advance their qualifications within the system and handle more complex cases.

Data Collection

The agency has not historically gathered helpful data to ensure contract compliance, monitor system performance, or make financial asks to ensure the agency receives adequate funding. For instance, the number of hours necessary for a provider to defend the "average" felony case is unknown because time spent on a case is not methodically collected. This fundamental, yet critical, type of data collection prevents accurate measures of historic and existing caseloads; elements that make measuring contemporary problems like case backlog difficult to argue and defend. The lack of robust data was highlighted in both the Sixth Amendment Center's and the ABA's reports on public defense in Oregon and is a problem that pre-dates the COVID-19 pandemic.

The new FTE contracting model provides more information than before on individual attorney caseloads and compensation. But the agency needs significant improvements to data capacity in a host of areas, ranging from attorney qualifications, case assignments, caseloads, and work completed in public defense cases, to budget tracking and auditing. OPDS currently lacks software programs that would allow for the meaningful collection of much of this data, and the agency will continue to work with LFO on acquiring such programs. A robust IT project was contemplated in previous biennium but was subsequently put on hold until the Agency can demonstrate credibility to manage such a project and develop a comprehensive and sustainable restructure plan.

Training

The PDSC has a constitutional responsibility to ensure eligible individuals have timely access to competent counsel. Yet, the PDSC lacks a statewide training program for attorneys focused on public defense, nor is it funded to provide such robust training. Some of the training can be provided by the PDSC/OPDS, but other types of training critical to public defense is within the realm of other state agencies. For instance, investigations is a critical and required element of every felony case.

Additionally, PDSC is not the direct service provider for client representation. Thus, individual employers are best suited to provide for direct training and/or request development of training programs from which they can send employees. It is incumbent on the Agency to assist and develop training programs that will benefit the contracted providers and ultimately provide benefit to the represented clients.

Some public defense entities do provide training, but many do not. Most public defense attorneys receive continuing legal education ("CLE"), primarily through the Oregon Criminal Defense Lawyer's Association and the Oregon State Bar. But these CLEs do not always provide the foundation for a career in public defense work, nor do they aid in workforce development in a post-COVID economy.

HB 5030 (2021) authorized positions for a newly created Compliance, Audit, and Performance Division, which will include a Criminal Trial Chief, and Juvenile Trial Chief, with several deputies assigned to each. The agency is currently in the process of filling these roles, and this Division will assume the agency's role of developing training programs.

Equity and Inclusion

HB 2003 directs the agency to "establish operational and contracting systems that allow for oversight, ensure transparency and stakeholder engagement and promote equity, inclusion, and culturally specific representation." Since then, OPDS created an intra-agency Equity Workgroup composed of a cross-divisional representation of agency staff. The workgroup is charged with creating an equity framework, which requires the agency to align on its commitment to equity, core concepts, values, and approach for future actions.

The equity framework will help inform the Commission's strategic planning process, which will further define how the agency and commission will operationalize that commitment internally and in its external-facing policies and practices, including contracting. It also brings the agency and commission into alignment with the State of Oregon Diversity, Equity, and Inclusion Action Plan, released September 2021.

The PDSC and OPDS present unique, but not unusual problems and issues. As expected, there are communication problems and a complete restructuring of the staff, budget and accounting. There is a maturation process the agency is going through as program staff are oriented into new policies and procedures that have been proved and adopted throughout state government. This maturation process is not unlike what many other state agencies have gone through over the past twenty to thirty years. The Commission and OPDS staff are dedicated to the continual improvement and sustainability of the public defense profession for the benefit of clients and all Oregonians.

Recommended Path for Future Development

The commission's recommended strategy and areas of focus for improvement are:

- Capacity and Compensation.

  — Make initial recommendations and requests to "move the dial" on compensation to accelerate the conversation and progress toward equity.
  — Define "parity" for contracted providers and provider organizations given roles, responsibilities, scope of work and contractual requirements relative to comparable industry standards.
  — Address capacity needs and availability of potential resources (money and workforce) to best serve the client base.
    - Determine if additional support services (i.e. paralegals, legal secretaries, case managers, supervisors) can better manage workloads and decrease caseloads on existing contracted providers.
    - Research and develop "staffing standards" across multiple jurisdictions.
    - Research and recommend other alternatives that can reduce individual caseloads within existing resources.
    - Recommend adjustments to service delivery models.
  — Address recruitment and retention resources necessary to sustain service provider model(s) given the geographic and economic diversity of Oregon.

- Modernization and Cultural Maturity.

  — Operational stabilization.
  — Cultural maturation for management, infrastructure, service providers.
  — Strategic planning.
  — Integration and cooperation with state agencies.

- Infrastructure investments.

  — Administrative functions and support.
  — Technology functions and support.
  — Update contract provisions with providers.

— Physical locations and safety.
— Workforce development.

- Future state.

— Participate with the legislatively led workgroup to craft long-term solutions and plans to "overhaul" the public defense services provided in Oregon. The current anticipated timeline suggests the February 2025.
— Address the concerns, requirements and recommendations of the Sixth Amendment study and ABA study given limited capacities and availability or resources (General Fund and provider community).

Goals for Improving Public Defense Services

This section will contemplate goals and objectives to improve public defense services. No one of the items discussed with accomplish the goal of a "fixed" system by itself, nor will enough be accomplished in a single biennium to create a sustainable system. This process will likely take many biennia of continual investment to satisfy the requirements of the U.S. and Oregon constitutions. It is important to note that the agency also has limitations on the capacity to implement new programs and ideas; and the marketplace in the post-covid economy may not have enough resources (i.e. qualified attorneys, paralegals, investigators, etc.) which will be required to accomplish every goal. A steady, well-planned and sustained roll out of resources will best ensure the long-term improvement and success of public defense in Oregon.

Contract Provider Compensation

The PDSC maintains a commitment to bring compensation parity to public defense services and providers on par with comparable functions within the adjudication system. This may prove to be a difficult task and will require research and analysis which will be assigned to the Research unit. Among state operated public defense programs, Oregon is one of the most unique. Oregon administers a greater number and breadth of services than any other state.

Contracted defense attorney providers have been operating at the current rates for a long period of time and are at a point where the industry feels broken, devalued and left behind. Other outside factors have not helped. In 2019, prior to the COVID pandemic, the job market was already tightening and putting upward pressure on wages with only a 3% inflation provision for contracted services

contemplated in the 2021-23 legislatively adopted budget. Meanwhile, providers took note of legislative funding for state employee compensation at a higher rate. Compensation rates for DOJ and OPDS employed attorneys was the basis for compensation changes contemplated in the 2023-25 policy option packages.

In 2020, the COVID pandemic began to wreak havoc as courts needed to shut down or significantly modify activity in response to the public health crisis. This increased workload pressures in ways that could not have been foreseen. It also required attorneys to carry open cases for much longer than normal as court activities slowed way down.

As the country anticipated an end to the pandemic, which had been constantly shifting for the last two years, a phenomenon affectionately called "the great resignation" also had an impact on the provider community. Providers now move from public defense firm (PD) to other PDs chasing better pay, compensation and lighter workloads. In some cases, attorneys are leaving PDs altogether and moving into other areas of the law such as prosecution. An expanding imbalance in compensation due to location, caseload, employer or experience is fueling provider movement and creating instability in representation for clients.

The agency, specifically the CAP's research section, will review and make recommendations to further modify the current caseload modeling and compensation to balance and stabilize compensation as a factor in parity with appropriate agencies and organizations. Research will evaluate compensation rates in relation to the breadth and depth of services provided. This research, process and implementation will be similar to the research and implementation that occurred when the Oregon Health Authority developed and implemented regional coordinated care organizations.

Capacity Expansion, Workload Reduction & Workforce Retention

The PDSC remains committed to program expansion that results in the best public defense services possible as allowed within the adopted and approved budget. To reach that goal the PDSC will request resources to expand attorney capacity, balance workload capacity to better serve clients, and support workforce retention by creating a desirable environment in which providers no longer feel they are drowning in caseload.

Historically, the PDSC has had no caseload standards, which meant that attorneys could represent as many public defense clients as they chose. Contracts were written in such a way that taking on more cases was an unintended incentive. With the caseload/FTE contracting model established in 2021, the PDSC adopted caseload standards for misdemeanor and felony criminal cases, as well as

juvenile cases based on already established NAC standards. In 1973, National Advisory Council ("NAC") on Criminal Justice Standards recommended a caseload standard of 400 misdemeanor cases per year or 150 felony cases per year.

HB 2003 (2021) recommend caseload standards that "are in accordance with national and regional best practices." The 1973 NAC standards are no longer considered a national best practice. OPDS could not afford to implement those standards in 2021, so the PDSC adopted a caseload standard of 115% of NAC standards, which again are outdated, elevating the caseload limit to 460 misdemeanors per year or 173 felony cases per year.

On January 21, 2022, the American Bar Association and accounting firm Moss Adams issued a report, following a two-year study that was funded by the legislature, recommending Oregon-specific caseload standards and concluding that Oregon had 31% of the needed public defenders to address the statewide caseload.

OPDS currently delivers defense services with just over 550 contracted providers. The ABA study, based on its own recognized staffing model, would increase the number of contracted attorney providers by slightly less than 1,300 providers. In rough terms, it quadruples the size and complexity of OPDS and is far too much for the Agency to accomplish in a single biennium even if it received such funding.

Addressing and "fixing" just 10% of the defined need would cost approximately $35-$80 million and add two to four additional permanent staff members to the Agency to support the additional administrative workload. Because of phase-in timing to ramp up an additional 20% of current capacity, the ongoing biennial costs would approach $100-$150 million.

The agency, specifically the research section, will review and make recommendations to further modify the current caseload modeling and compensation to:

- Provide incentive to attract and retain graduating law students into the public defense field
- Provide incentive for new misdemeanor attorneys to become felony qualified
- Provide incentive to attract attorneys to the more rural parts of Oregon

- Research different delivery models, including but not limited to state run PD offices, and make recommendations as to piloting a program in the 2023-25 biennium; especially as it applies to rural areas and jurisdictions where recruitment and retention are historically difficult.

- Research and make recommendations for a balanced mix of private practice, non-profit PDs and consortia to best represent clients across the diversity of jurisdictions in Oregon. This becomes an ongoing planning task each biennium.

- Research and evaluate how additional compensation and contractual incentives influence the ability to recruit and retain providers in the industry given perpetual changes in the workforce and economic environment.

Many of these ideas require further discussion and input with stakeholder groups. There is also much research among other states that will take place. However, this author has noted, after discussion with counterparts in other states, that Oregon is still recognized as an innovation leader among state governments. There will be many ideas and suggestions to be immediately implemented. Some of those should be moved forward. But only after consideration of how they move forward the goal of improvements to the overall justice system unless the initiative can produce immediate and sustainable results.

Restructure and Enhance the Compliance, Audit, and Performance (CAP) Division

Our plan to restructure our CAP Division will enhance and focus executive leadership and planning, particularly the leadership for data, research and program design. We plan to dedicate an additional deputy general counsel in adult criminal and juvenile programs to focus on core functions: policy development, training, contract development and administration, audit and accountability, and performance. Deputy general counsel positions will also have a geographic/regional functional area similar to contract administration.

By the Fall of 2024, with the proposed staffing, the agency will produce written policies, procedures, and processes for both the agency and public defense providers to adhere to consistent with legislative directives. The establishment of needed policies and procedures will allow the agency to provide oversight of these functions, increasing agency capacity to support high-quality, zealous legal representation, provide oversight of legal representation for indigent clients, and engage in robust data collection and analysis to inform appropriate procurement methods to contract with public defense providers around the state. These efforts will result in increased leadership, better communication, and more transparency to the agency's work.

Financial and Case Management Project

PDSC is requesting funds to purchase a new cloud-hosted financial and case management system (FCMS) to begin the contract phase with a system vendor to start July 1, 2023. HB 5202 (2022) provided the agency with $743,588 General Fund, on a one-time basis, and authorization of two positions (1.26 FTE) for the re-initiation of the planning phase of the Financial and Case Management information technology project. The 81st Legislative Assembly directed the commission:

> "[T]o report to the Joint Legislative Committee on Information Management and Technology and the Joint Committee on Ways and Means during the 2023 legislative session on the status of the re-initiation of the planning phase of the Financial/Case Management System (F/CMS) information technology project. The report shall include: a detailed business case, project timeline, and cost estimates. The Commission is to follow the Stage Gate, or a similar disciplined process related to information technology projects, including development of key artifacts and independent quality assurance oversight."

PDSC has already began to meet the requirements of HB 5202 with the hiring of two Project Management Institute (PMI) certified Project Managers. Currently the Project Managers are refreshing all project documents and formulating a Project Management Plan to meet the remaining requirements of HB 5202. In the coming months the team will begin writing a System Request for Proposal (RFP)

to be released in early 2023. The release of the RFP at this time will allow for a vendor to be selected and procured to begin the implementation process as early as July 1, 2023.

Stabilize IT Services and Operational Support

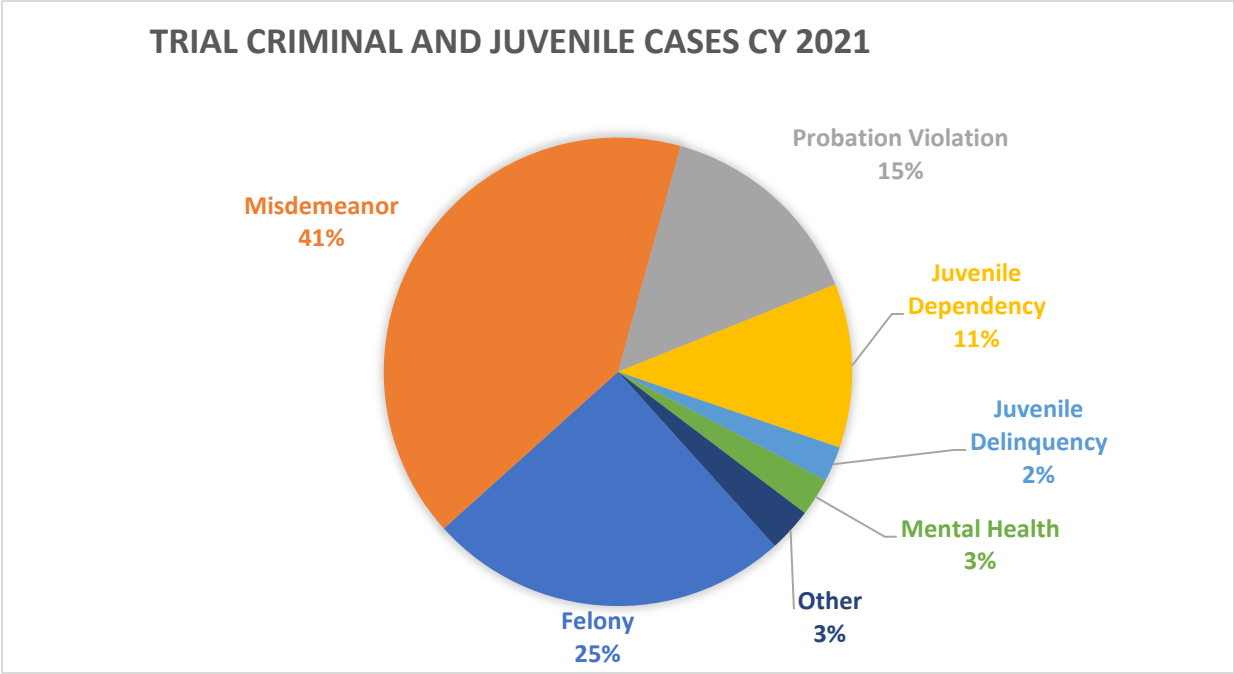
Final design and balanced service provision to support daily operations and a focused information technology project. Expand project management to provide oversight to multiple agency projects. Focused procurement with a designated procurement officer. Shift contract administration function into the adult criminal and juvenile program areas where daily contact with providers can be more closely linked into the CAP division yet separate from the CAP research function. Maintain a focused procurement position in ASD and re-task the current management position to organizational development, both internally with program, administration and appellate staff and externally with service providers. Organizational development will also be the designated chief cultural change officer tasked with diversity, equity and inclusion initiatives.

Agency Summary

Overview

The types of cases for which PDSC provides representation include not only felony and misdemeanor adult and juvenile criminal cases, but juvenile dependency and parental rights termination cases, as well as probation violations and civil commitment proceedings, among others.

A representative breakdown of cases for the calendar year 2021 in the Trial Criminal and Juvenile Divisions is shown below.



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Summary of 2023-25 Biennium Budget

Public Defense Svcs Comm — **Agency Working**
Public Defense Svcs Comm — **Cross Reference Number: 40400-000-00-00-00000**
2023-25 Biennium

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
2021-23 Leg Adopted Budget	108	104.72	339,633,842	321,184,175	-	18,449,667	-	-	-
2021-23 Emergency Boards	5	2.84	16,255,475	16,255,475	-	-	-	-	-
2021-23 Leg Approved Budget	**113**	**107.56**	**355,889,317**	**337,439,650**	**-**	**18,449,667**	**-**	**-**	**-**
2023-25 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	(9)	(3.76)	910,104	910,104	-	-	-	-	-
Estimated Cost of Merit Increase			-	-	-	-	-	-	-
Base Debt Service Adjustment			-	-	-	-	-	-	-
Base Nonlimited Adjustment			-	-	-	-	-	-	-
Capital Construction			-	-	-	-	-	-	-
Subtotal 2023-25 Base Budget	**104**	**103.80**	**356,799,421**	**338,349,754**	**-**	**18,449,667**	**-**	**-**	**-**
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Vacancy Factor (Increase)/Decrease	-	-	-	-	-	-	-	-	-
Non-PICS Personal Service Increase/(Decrease)	-	-	(1,516,173)	(1,516,173)	-	-	-	-	-
Subtotal	**-**	**-**	**(1,516,173)**	**(1,516,173)**	**-**	**-**	**-**	**-**	**-**
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	90,437	90,437	-	-	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	(13,319,191)	(12,806,640)	-	(512,551)	-	-	-
Subtotal	**-**	**-**	**(13,228,754)**	**(12,716,203)**	**-**	**(512,551)**	**-**	**-**	**-**
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	24,747,313	24,747,313	-	-	-	-	-
State Gov"t & Services Charges Increase/(Decrease)			292,730	292,730	-	-	-	-	-

Public Defense Svcs Comm **Agency Working**
Public Defense Svcs Comm **Cross Reference Number: 40400-000-00-00-00000**
2023-25 Biennium

Description	*Positions*	*Full-Time Equivalent (FTE)*	*ALL FUNDS*	*General Fund*	*Lottery Funds*	*Other Funds*	*Federal Funds*	*Nonlimited Other Funds*	*Nonlimited Federal Funds*
Subtotal	**-**	**-**	**25,040,043**	**25,040,043**	**-**	**-**	**-**	**-**	**-**
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	19,617,400	19,617,400	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
Subtotal: 2023-25 Current Service Level	**104**	**103.80**	**386,711,937**	**368,774,821**	**-**	**17,937,116**	**-**	**-**	**-**

Summary of 2023-25 Biennium Budget

Public Defense Svcs Comm — **Agency Working**
Public Defense Svcs Comm — **Cross Reference Number: 40400-000-00-00-00000**
2023-25 Biennium

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
Subtotal: 2023-25 Current Service Level	**104**	**103.80**	**386,711,937**	**368,774,821**	**-**	**17,937,116**	**-**	**-**	**-**
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2023-25 Current Service Level	**104**	**103.80**	**386,711,937**	**368,774,821**	**-**	**17,937,116**	**-**	**-**	**-**
080 - E-Boards									
081 - June 2022 Emergency Board	-	-	113,722,288	113,722,288	-	-	-	-	-
Subtotal Emergency Board Packages	**-**	**-**	**113,722,288**	**113,722,288**	**-**	**-**	**-**	**-**	**-**
Policy Packages									
101 - Provider Compensation	-	-	35,183,747	35,183,747	-	-	-	-	-
102 - Provider Staffing	-	-	131,336,078	131,336,078	-	-	-	-	-
103 - Expansion of PCRP	-	-	32,481,974	32,481,974	-	-	-	-	-
104 - Program Design and Research	14	12.44	3,434,284	3,434,284	-	-	-	-	-
105 - FCMS	3	3.00	7,472,009	7,472,009	-	-	-	-	-
106 - Quick Response Unit	36	36.00	10,754,145	10,754,145	-	-	-	-	-
107 - OJD ETS Services	-	-	929,270	929,270	-	-	-	-	-
108 - Limited Duration Positions	7	7.00	1,969,104	1,969,104	-	-	-	-	-
109 - CSS Position	1	1.00	235,394	235,394	-	-	-	-	-
110 - Guardianship Program	1	1.00	291,318	291,318	-	-	-	-	-
111 - Commissioner Stipend	-	-	112,234	112,234	-	-	-	-	-
112 - Mandated Caseload for Juvenile	-	-	2,705,261	2,705,261	-	-	-	-	-
113 - Capacity Expansion	-	-	118,416,359	118,416,359	-	-	-	-	-
Subtotal Policy Packages	**62**	**60.44**	**345,321,177**	**345,321,177**	**-**	**-**	**-**	**-**	**-**

Summary of 2023-25 Biennium Budget

Public Defense Svcs Comm | **Agency Working**
Public Defense Svcs Comm | **Cross Reference Number: 40400-000-00-00-00000**
2023-25 Biennium

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
Total 2023-25 Agency Request Budget	**166**	**164.24**	**845,755,402**	**827,818,286**	**-**	**17,937,116**	**-**	**-**	**-**
Percentage Change From 2021-23 Leg Approved Budget	46.90%	52.70%	137.65%	145.32%	-	-2.78%	-	-	-
Percentage Change From 2023-25 Current Service Level	59.62%	58.23%	118.70%	124.48%	-	-	-	-	-

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Priority Agy.	Priority Div.	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program-Activity Code	General Fund	Other Funds	Total Funds	Positions	FTE	New or Enhanced Program	Included as Reduction Option	Legal Req. Code	Legal Citation	Explain What is Mandatory	Comments on Proposed Changes to CSL included in Agency Request
1	1	PDSC	TCD	Provides funding for legal representation at the trial-level.		5	180,964,555		180,964,555			N	Y	C	US and Oregon Constitution	Right to representation	
2	1	PDSC	JD	Provides funding for legal representation of juveniles principally at the trial-level, mainly for the Parent Child Representation Program.		5	68,682,556	14,000,000	82,682,556	1	1.00	Y	Y	C	US and Oregon Constitution	Right to Representation	Policy Option Package to expand the Parent Child Representation Program to all counties within the state.
3	1	PDSC	AD	Appellate Division	1	5	25,992,983		25,992,983	58	57.80	N	Y	C	US and Oregon Constitution	Right to representation	
4	1	PDSC	CME	Provides funding for legal representation trial-level and support services that are mandated by a trial court official.		5	18,335,583	3,937,116	22,272,699			N	Y	C	US and Oregon Constitution	Right to representation support	
5	1	PDSC	NRE/CSS	Provides funding for case support services to aid in legal representation		5	52,049,933		52,049,933			N	Y	C	US and Oregon Constitution	Right to representation support	
6	1	PDSC	SPCD	Currently the Guardianship and Conservatorship Program		1	293,198		293,198			Y	Y	C	US and Oregon Constitution	Right to representation support	Policy Option Package to make Limited Duration Staff permanent.
7	1	PDSC	CAP	Compliance, Audit, and Performance Division		5	5,082,565		5,082,565	11	11.00	Y	Y	C	US and Oregon Constitution	Right to representation support	Policy Option Package to request positions to build and enhance program and agency operations, research, procurement, public affairs and policy design.
	1	PDSC	ASD	Agency Operations		5	14,171,572		14,171,572	28	28.00	Y	Y	C	US and Oregon Constitution	Right to representation support	Policy Option Packages: Financial Case Management System, Information Services Contract, Limited Duration Positions to Permanent, Reestablish abolished position for CSS.
	1	PDSC	ED	Agency Operations		5	3,201,876		3,201,876	6	6.00	Y	Y	C	US and Oregon Constitution	Right to representation support	
							368,774,821	**17,937,116**	**$ 386,711,937**	**104**	**103.80**						

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Prog. / Div.	Describe Reduction Option	Rank	General Fund	Other Funds	Total Funds	Positions	FTE
Executive Division	A 10% reduction in the Executive Division targets the last position earned in this division, the Legislative Affairs Manager which is a Deputy General Counsel Position. What the agency losses is the necessary link to the legislative body. This will mean that the Director and the Deputy Director will have to increase thier level of engagement with the Legislative Body.	2	384,445		384,445	1	1.00
Compliance, Audit and Performance Division	A 10% reduction in the CAP division represents the elimination of 2 positions, a Research Analyst 4 and an Internal Auditor. Eliminating these positions will severly limit the agency's ability to conduct the necessary research to move solve the problems and provide solutions to move the agency programs forward and to evaluate the policies, procedures and best practices of the agency. Although these positions are crucial to the forward progression of the agency and the continued improvement of constitutional defense representation of oregonians, it is more favorable than the elimination of the General Counsel and the Deputy General Council positions who are working to create the framework for the agency programs.	4	614,368		614,368	2	2.00
Appellate Division	A 10% reduction ($2.6 million GF) of the agency's current service level for the Appellate Division would require the elimination of six (6) attorney positions. Appellate cases would become backlogged and the average length of time an appeal is pending would increase. The Court of Appeals may order the dismissal of pending cases that exceed 350 days from the date the record settles to the filing of the opening brief.	5	2,659,195		2,659,195	6	6.00
Trial Criminal Division	A 10% reduction ($18.5 million GF) of the Trial Criminal Division represents the level of funding required for approximately three months of public defense services. Unless the 2023 Legislature acts to either decriminalize some behavior or reduce the seriousness level of some offenses and thereby reduce the number and cost of the cases on which counsel must be appointed, or funds this caseload, PDSC will have to cease payment for appointed counsel and related expenses during the last quarter of the 2023-25 biennium. Generally, if counsel is not available, the cases will be dismissed or held in abeyance.	9	18,096,456		18,096,456	-	0.00
Case Support Services - aka Non-Routine Expenses	A 10% reduction ($5.2 million GF) of Case Support Services (Non-Routine Expenses) represents the level of funding required for approximately three months of vendor payments for public defense related reasonable and necessary support services. The related case costs include transcriptionists, investigators, interpreters, mitigators, socials workers, psychologists, polygraph examiners, forensic, firearms and DNA experts and medical experts. Unless the 2023 Legislature acts to either decriminalize some behavior or reduce the seriousness level of some offenses and thereby reduce the number and cost of the cases on which counsel must be appointed which directly drives the needs for related support services, or funds this caseload, PDSC will have to cease payment to vendors for related expenses during the last quarter of the 2023-25 biennium. Generally, if counsel is not available, the cases will be dismissed or held in abeyance.	3	5,204,993	0	5,204,993	-	0.00
Court Mandated Expenses	A 10% reduction ($1.83 million GF. $0.39 million OF) of the Court Manadated Expenses represents the level of funding required for approximately two months of public defense services. Unless the 2023 Legislature acts to either decriminalize some behavior or reduce the seriousness level of some offenses and thereby reduce the number and cost of the cases on which counsel must be appointed, or funds this caseload, PDSC will have to cease payment for appointed counsel and related expenses during the last quarter of the 2023-25 biennium. Generally, if counsel is not available, the cases will be dismissed or held in abeyance. The reduction in Other Funds will result in reduction to the monies that are passed through to the Oregon Judicial Department for the the payment of staff that process the requests for the Application Contribution Program.	7	1,833,558	393,712	2,227,270	-	0.00

Prog. / Div.	Describe Reduction Option	Rank	General Fund	Other Funds	Total Funds	Positions	FTE
Juvenile Division	A 10% reduction ($7.2 million GF; $1.4 million OF) of the of the Juvenile Divison represents the level of funding required for approximately three months of public defense services. Unless the 2023 Legislature acts to either decriminalize some behavior or reduce the seriousness level of some offenses and thereby reduce the number and cost of the cases on which counsel must be appointed, or funds this caseload, PDSC will have to cease payment for appointed counsel and related expenses during the last quarter of the 2023-25 biennium. Generally, if counsel is not available, the cases will be dismissed or held in abeyance.	8	7,162,486	1,400,000	8,562,486	-	0.00
Administrative Services Division	A 10% reduction ($1.43 million GF) of the Administrative Services represents the elimination of 6 essential positions that are crucial the operational success of the agency. The elimination would touch every section within the division and limit the agencies ability to process payments and requests for services, provide essential reporting for the PDSC and the Legislature, and to maintain the technological support services necessary for the agency to operate its numerous systems and databases. The agency is sparsely resourced in the administrative area and is just starting to get on its feet operationally, so a cut here would send the agency backward to a place that may not be recoverable.	3	1,427,405		1,427,405	6	6.00
Special Programs, Contracts, and Distributions	A 10% reduction ($0.029 million GF) of the Special Programs, Contracts, and Distributions would eliminate the funding for approximately 391 case hours (budgeted at $75 per hour) in the Guardianship and Conservatorship program. This program was established by the 2021 Legislative assembly and is still in its infancy. The program operates in Multnomah and Lane County currently and is expected to expand into Columbia County in January of 2023 and to then be deployed statewide in January of 2024.	1	29,320		29,320	-	0.00
Total Reduction Options			**37,412,226**	**1,793,712**	**39,205,938**	**15**	**15.00**
2023 - 25 Current Service Level			368,774,821		368,774,821		
10% General Fund Reduction			36,877,482	0	36,877,482		
Difference from threshold			(534,743)	(1,793,712)	(2,328,455)		

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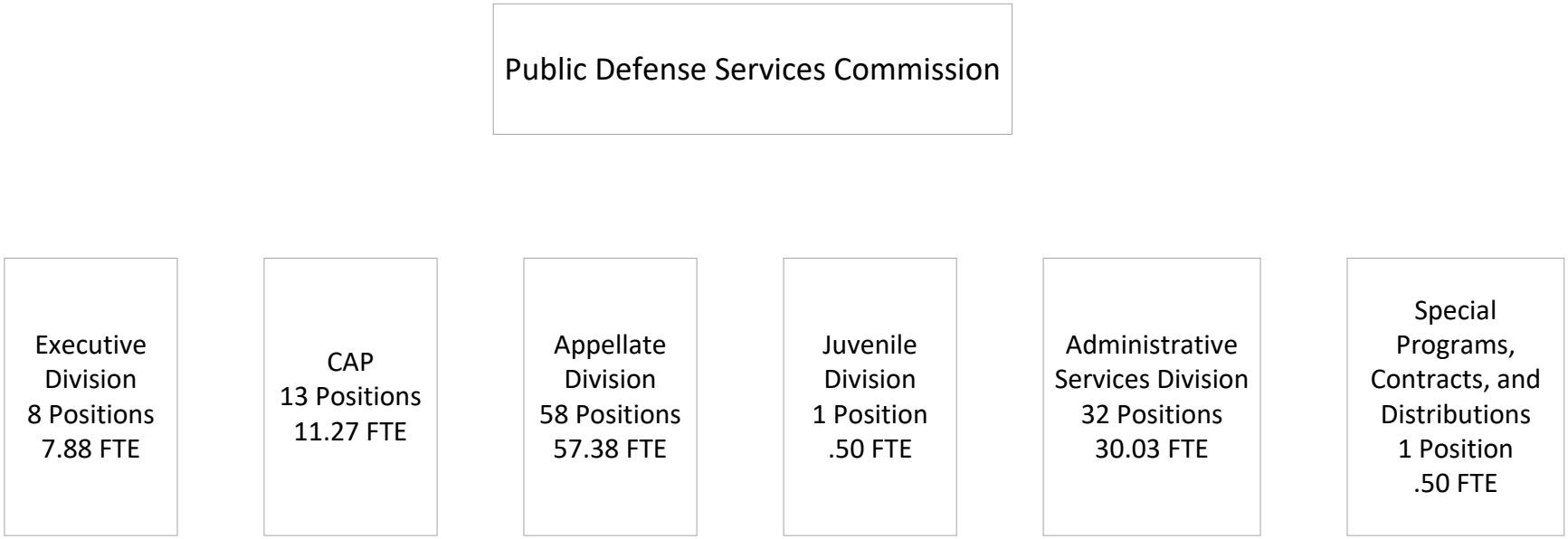
Public Defense Services Commission
Office of Public Defense Services

Organizational Chart

2021-2023 Legislative Adopted Budget

113 Positions 107.56 FTE



Public Defense Services Commission
Office of Public Defense Services

Organizational Chart

2023-2025 Agency Request Budget

165 Positions 163.48 FTE

Public Defense Services Commission

Executive Division	Program Design and Research	Appellate Division	Trial Criminal Division	Non-Routine Expenses	Court Mandated Expenses	Juvenile Division	Special Programs, Contracts, and Distributions	Administrative Services Division
9 positions	14 positions	58 positions	44 positions	0 positions	0 positions	9 position	1 positions	30 positions
8.88 FTE	13.28 FTE	57.80 FTE	43.88 FTE	0 FTE	0 FTE	8.64 FTE	1.00 FTE	30.00 FTE

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 010 - Vacancy Factor and Non-ORPICS Personal Services | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	(1,516,173)	-	-	-	-	-	(1,516,173)
Total Revenues	**($1,516,173)**	**-**	**-**	**-**	**-**	**-**	**($1,516,173)**
Personal Services							
All Other Differential	(1,496,486)	-	-	-	-	-	(1,496,486)
Public Employees' Retire Cont	(268,170)	-	-	-	-	-	(268,170)
Pension Obligation Bond	328,176	-	-	-	-	-	328,176
Social Security Taxes	(114,481)	-	-	-	-	-	(114,481)
Unemployment Assessments	458	-	-	-	-	-	458
Paid Family Medical Leave Insurance	(5,985)	-	-	-	-	-	(5,985)
Mass Transit Tax	40,315	-	-	-	-	-	40,315
Vacancy Savings	-	-	-	-	-	-	-
Total Personal Services	**($1,516,173)**	**-**	**-**	**-**	**-**	**-**	**($1,516,173)**
Services & Supplies							
Professional Services	-	-	-	-	-	-	-
Total Services & Supplies	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Expenditures							
Total Expenditures	(1,516,173)	-	-	-	-	-	(1,516,173)
Total Expenditures	**($1,516,173)**	**-**	**-**	**-**	**-**	**-**	**($1,516,173)**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 010 - Vacancy Factor and Non-ORPICS Personal Services | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 021 - Phase-in | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	90,437	-	-	-	-	-	90,437
Total Revenues	**$90,437**	**-**	**-**	**-**	**-**	**-**	**$90,437**
Services & Supplies							
Instate Travel	1,771	-	-	-	-	-	1,771
Employee Training	7,988	-	-	-	-	-	7,988
Office Expenses	7,886	-	-	-	-	-	7,886
Telecommunications	773	-	-	-	-	-	773
Data Processing	5,357	-	-	-	-	-	5,357
Publicity and Publications	278	-	-	-	-	-	278
Professional Services	10,511	-	-	-	-	-	10,511
IT Professional Services	10,119	-	-	-	-	-	10,119
Dues and Subscriptions	448	-	-	-	-	-	448
Facilities Rental and Taxes	26,426	-	-	-	-	-	26,426
Facilities Maintenance	619	-	-	-	-	-	619
Other Services and Supplies	5,642	-	-	-	-	-	5,642
Expendable Prop 250 - 5000	2,947	-	-	-	-	-	2,947
IT Expendable Property	9,672	-	-	-	-	-	9,672
Total Services & Supplies	**$90,437**	**-**	**-**	**-**	**-**	**-**	**$90,437**
Total Expenditures							
Total Expenditures	90,437	-	-	-	-	-	90,437
Total Expenditures	**$90,437**	**-**	**-**	**-**	**-**	**-**	**$90,437**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 021 - Phase-in | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 022 - Phase-out Pgm & One-time Costs | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	(12,806,640)	-	-	-	-	-	(12,806,640)
Tsfr From Judicial Dept	-	-	(512,551)	-	-	-	(512,551)
Total Revenues	**($12,806,640)**	**-**	**($512,551)**	**-**	**-**	**-**	**($13,319,191)**
Services & Supplies							
Instate Travel	-	-	-	-	-	-	-
Employee Training	-	-	-	-	-	-	-
Office Expenses	-	-	-	-	-	-	-
Telecommunications	-	-	-	-	-	-	-
Data Processing	-	-	-	-	-	-	-
Publicity and Publications	-	-	-	-	-	-	-
Professional Services	(12,806,640)	-	-	-	-	-	(12,806,640)
IT Professional Services	-	-	-	-	-	-	-
Dues and Subscriptions	-	-	-	-	-	-	-
Facilities Rental and Taxes	-	-	-	-	-	-	-
Fuels and Utilities	-	-	-	-	-	-	-
Facilities Maintenance	-	-	-	-	-	-	-
Other Services and Supplies	-	-	-	-	-	-	-
Expendable Prop 250 - 5000	-	-	-	-	-	-	-
IT Expendable Property	-	-	-	-	-	-	-
Total Services & Supplies	**($12,806,640)**	**-**	**-**	**-**	**-**	**-**	**($12,806,640)**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 022 - Phase-out Pgm & One-time Costs | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Special Payments							
Spc Pmt to Judicial Dept	-	-	(512,551)	-	-	-	(512,551)
Total Special Payments	**-**	**-**	**($512,551)**	**-**	**-**	**-**	**($512,551)**
Total Expenditures							
Total Expenditures	(12,806,640)	-	(512,551)	-	-	-	(13,319,191)
Total Expenditures	**($12,806,640)**	**-**	**($512,551)**	**-**	**-**	**-**	**($13,319,191)**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Beginning Balance							
Beginning Balance	-	-	-	-	-	-	-
Total Beginning Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Revenues							
General Fund Appropriation	25,038,447	-	-	-	-	-	25,038,447
Employment Taxes	-	-	-	-	-	-	-
Tsfr From Human Svcs, Dept of	-	-	-	-	-	-	-
Tsfr From Judicial Dept	-	-	-	-	-	-	-
Total Revenues	**$25,038,447**	**-**	**-**	**-**	**-**	**-**	**$25,038,447**
Services & Supplies							
Instate Travel	2,190	-	-	-	-	-	2,190
Out of State Travel	243	-	-	-	-	-	243
Employee Training	8,535	-	-	-	-	-	8,535
Office Expenses	11,728	-	-	-	-	-	11,728
Telecommunications	6,397	-	-	-	-	-	6,397
State Gov. Service Charges	292,730	-	-	-	-	-	292,730
Data Processing	4,595	-	-	-	-	-	4,595
Publicity and Publications	372	-	-	-	-	-	372
Professional Services	24,485,154	-	-	-	-	-	24,485,154
IT Professional Services	134,212	-	-	-	-	-	134,212
Attorney General	5,729	-	-	-	-	-	5,729
Dues and Subscriptions	835	-	-	-	-	-	835
Facilities Rental and Taxes	53,998	-	-	-	-	-	53,998

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Facilities Maintenance	201	-	-	-	-	-	201
Other Services and Supplies	9,026	-	-	-	-	-	9,026
Expendable Prop 250 - 5000	2,154	-	-	-	-	-	2,154
IT Expendable Property	20,348	-	-	-	-	-	20,348
Total Services & Supplies	**$25,038,447**	**-**	**-**	**-**	**-**	**-**	**$25,038,447**
Total Expenditures							
Total Expenditures	25,038,447	-	-	-	-	-	25,038,447
Total Expenditures	**$25,038,447**	**-**	**-**	**-**	**-**	**-**	**$25,038,447**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 032 - Above Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	1,596	-	-	-	-	-	1,596
Total Revenues	**$1,596**	**-**	**-**	**-**	**-**	**-**	**$1,596**
Services & Supplies							
Facilities Rental and Taxes	1,596	-	-	-	-	-	1,596
Total Services & Supplies	**$1,596**	**-**	**-**	**-**	**-**	**-**	**$1,596**
Total Expenditures							
Total Expenditures	1,596	-	-	-	-	-	1,596
Total Expenditures	**$1,596**	**-**	**-**	**-**	**-**	**-**	**$1,596**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 040 - Mandated Caseload | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	19,617,400	-	-	-	-	-	19,617,400
Total Revenues	**$19,617,400**	**-**	**-**	**-**	**-**	**-**	**$19,617,400**
Services & Supplies							
Professional Services	19,617,400	-	-	-	-	-	19,617,400
Total Services & Supplies	**$19,617,400**	**-**	**-**	**-**	**-**	**-**	**$19,617,400**
Total Expenditures							
Total Expenditures	19,617,400	-	-	-	-	-	19,617,400
Total Expenditures	**$19,617,400**	**-**	**-**	**-**	**-**	**-**	**$19,617,400**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 060 - Technical Adjustments | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	-	-	-	-	-	-	-
Total Revenues	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Services & Supplies							
Professional Services	-	-	-	-	-	-	-
Total Services & Supplies	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Expenditures							
Total Expenditures	-	-	-	-	-	-	-
Total Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 081 - June 2022 Emergency Board | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	113,722,288	-	-	-	-	-	113,722,288
Total Revenues	**$113,722,288**	**-**	**-**	**-**	**-**	**-**	**$113,722,288**
Services & Supplies							
Professional Services	113,722,288	-	-	-	-	-	113,722,288
Total Services & Supplies	**$113,722,288**	**-**	**-**	**-**	**-**	**-**	**$113,722,288**
Total Expenditures							
Total Expenditures	113,722,288	-	-	-	-	-	113,722,288
Total Expenditures	**$113,722,288**	**-**	**-**	**-**	**-**	**-**	**$113,722,288**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 101 - Provider Compensation | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	35,183,747	-	-	-	-	-	35,183,747
Total Revenues	**$35,183,747**	**-**	**-**	**-**	**-**	**-**	**$35,183,747**
Services & Supplies							
Professional Services	35,183,747	-	-	-	-	-	35,183,747
Total Services & Supplies	**$35,183,747**	**-**	**-**	**-**	**-**	**-**	**$35,183,747**
Total Expenditures							
Total Expenditures	35,183,747	-	-	-	-	-	35,183,747
Total Expenditures	**$35,183,747**	**-**	**-**	**-**	**-**	**-**	**$35,183,747**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 102 - Provider Staffing | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	131,336,078	-	-	-	-	-	131,336,078
Total Revenues	**$131,336,078**	**-**	**-**	**-**	**-**	**-**	**$131,336,078**
Services & Supplies							
Professional Services	131,336,078	-	-	-	-	-	131,336,078
Total Services & Supplies	**$131,336,078**	**-**	**-**	**-**	**-**	**-**	**$131,336,078**
Total Expenditures							
Total Expenditures	131,336,078	-	-	-	-	-	131,336,078
Total Expenditures	**$131,336,078**	**-**	**-**	**-**	**-**	**-**	**$131,336,078**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 103 - Expansion of PCRP | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	32,481,974	-	-	-	-	-	32,481,974
Total Revenues	**$32,481,974**	**-**	**-**	**-**	**-**	**-**	**$32,481,974**
Services & Supplies							
Professional Services	32,481,974	-	-	-	-	-	32,481,974
Total Services & Supplies	**$32,481,974**	**-**	**-**	**-**	**-**	**-**	**$32,481,974**
Total Expenditures							
Total Expenditures	32,481,974	-	-	-	-	-	32,481,974
Total Expenditures	**$32,481,974**	**-**	**-**	**-**	**-**	**-**	**$32,481,974**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 104 - Program Design and Research | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	3,434,284	-	-	-	-	-	3,434,284
Total Revenues	**$3,434,284**	**-**	**-**	**-**	**-**	**-**	**$3,434,284**
Personal Services							
Class/Unclass Sal. and Per Diem	2,110,581	-	-	-	-	-	2,110,581
All Other Differential	-	-	-	-	-	-	-
Empl. Rel. Bd. Assessments	651	-	-	-	-	-	651
Public Employees' Retire Cont	378,217	-	-	-	-	-	378,217
Social Security Taxes	161,459	-	-	-	-	-	161,459
Paid Family Medical Leave Insurance	8,444	-	-	-	-	-	8,444
Worker's Comp. Assess. (WCD)	566	-	-	-	-	-	566
Mass Transit Tax	9,793	-	-	-	-	-	9,793
Flexible Benefits	498,663	-	-	-	-	-	498,663
Total Personal Services	**$3,168,374**	**-**	**-**	**-**	**-**	**-**	**$3,168,374**
Services & Supplies							
Instate Travel	5,210	-	-	-	-	-	5,210
Employee Training	23,490	-	-	-	-	-	23,490
Office Expenses	23,190	-	-	-	-	-	23,190
Telecommunications	2,280	-	-	-	-	-	2,280
Data Processing	15,750	-	-	-	-	-	15,750
Publicity and Publications	810	-	-	-	-	-	810
Professional Services	30,910	-	-	-	-	-	30,910
IT Professional Services	29,750	-	-	-	-	-	29,750

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 104 - Program Design and Research | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Dues and Subscriptions	1,310	-	-	-	-	-	1,310
Facilities Rental and Taxes	77,700	-	-	-	-	-	77,700
Facilities Maintenance	1,820	-	-	-	-	-	1,820
Other Services and Supplies	16,590	-	-	-	-	-	16,590
Expendable Prop 250 - 5000	8,660	-	-	-	-	-	8,660
IT Expendable Property	28,440	-	-	-	-	-	28,440
Total Services & Supplies	**$265,910**	**-**	**-**	**-**	**-**	**-**	**$265,910**
Total Expenditures							
Total Expenditures	3,434,284	-	-	-	-	-	3,434,284
Total Expenditures	**$3,434,284**	**-**	**-**	**-**	**-**	**-**	**$3,434,284**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Positions							
Total Positions							14
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**14**
Total FTE							
Total FTE							12.44
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**12.44**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 105 - FCMS | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	7,472,009	-	-	-	-	-	7,472,009
Total Revenues	**$7,472,009**	**-**	**-**	**-**	**-**	**-**	**$7,472,009**
Personal Services							
Class/Unclass Sal. and Per Diem	504,864	-	-	-	-	-	504,864
Empl. Rel. Bd. Assessments	159	-	-	-	-	-	159
Public Employees' Retire Cont	90,472	-	-	-	-	-	90,472
Social Security Taxes	38,621	-	-	-	-	-	38,621
Paid Family Medical Leave Insurance	2,019	-	-	-	-	-	2,019
Worker's Comp. Assess. (WCD)	138	-	-	-	-	-	138
Mass Transit Tax	3,029	-	-	-	-	-	3,029
Flexible Benefits	120,888	-	-	-	-	-	120,888
Total Personal Services	**$760,190**	**-**	**-**	**-**	**-**	**-**	**$760,190**
Services & Supplies							
Instate Travel	1,785	-	-	-	-	-	1,785
Employee Training	8,052	-	-	-	-	-	8,052
Office Expenses	7,950	-	-	-	-	-	7,950
Telecommunications	780	-	-	-	-	-	780
Data Processing	5,400	-	-	-	-	-	5,400
Publicity and Publications	279	-	-	-	-	-	279
Professional Services	10,596	-	-	-	-	-	10,596
IT Professional Services	6,630,855	-	-	-	-	-	6,630,855
Dues and Subscriptions	450	-	-	-	-	-	450

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**
Pkg: 105 - FCMS | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Facilities Rental and Taxes	26,640	-	-	-	-	-	26,640
Facilities Maintenance	624	-	-	-	-	-	624
Other Services and Supplies	5,688	-	-	-	-	-	5,688
Expendable Prop 250 - 5000	2,970	-	-	-	-	-	2,970
IT Expendable Property	9,750	-	-	-	-	-	9,750
Total Services & Supplies	**$6,711,819**	**-**	**-**	**-**	**-**	**-**	**$6,711,819**
Total Expenditures							
Total Expenditures	7,472,009	-	-	-	-	-	7,472,009
Total Expenditures	**$7,472,009**	**-**	**-**	**-**	**-**	**-**	**$7,472,009**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Positions							
Total Positions							3
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**3**
Total FTE							
Total FTE							3.00
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**3.00**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 106 - Quick Response Unit | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	10,754,145	-	-	-	-	-	10,754,145
Total Revenues	**$10,754,145**	**-**	**-**	**-**	**-**	**-**	**$10,754,145**
Personal Services							
Class/Unclass Sal. and Per Diem	6,867,912	-	-	-	-	-	6,867,912
All Other Differential	-	-	-	-	-	-	-
Empl. Rel. Bd. Assessments	1,908	-	-	-	-	-	1,908
Public Employees' Retire Cont	1,230,735	-	-	-	-	-	1,230,735
Social Security Taxes	525,400	-	-	-	-	-	525,400
Paid Family Medical Leave Insurance	26,550	-	-	-	-	-	26,550
Worker's Comp. Assess. (WCD)	1,656	-	-	-	-	-	1,656
Mass Transit Tax	41,568	-	-	-	-	-	41,568
Flexible Benefits	1,450,656	-	-	-	-	-	1,450,656
Total Personal Services	**$10,146,385**	**-**	**-**	**-**	**-**	**-**	**$10,146,385**
Services & Supplies							
Instate Travel	11,900	-	-	-	-	-	11,900
Employee Training	53,680	-	-	-	-	-	53,680
Office Expenses	53,000	-	-	-	-	-	53,000
Telecommunications	5,200	-	-	-	-	-	5,200
Data Processing	36,000	-	-	-	-	-	36,000
Publicity and Publications	1,860	-	-	-	-	-	1,860
Professional Services	70,640	-	-	-	-	-	70,640
IT Professional Services	68,000	-	-	-	-	-	68,000

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 106 - Quick Response Unit | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Dues and Subscriptions	3,000	-	-	-	-	-	3,000
Facilities Rental and Taxes	177,600	-	-	-	-	-	177,600
Facilities Maintenance	4,160	-	-	-	-	-	4,160
Other Services and Supplies	37,920	-	-	-	-	-	37,920
Expendable Prop 250 - 5000	19,800	-	-	-	-	-	19,800
IT Expendable Property	65,000	-	-	-	-	-	65,000
Total Services & Supplies	**$607,760**	**-**	**-**	**-**	**-**	**-**	**$607,760**
Total Expenditures							
Total Expenditures	10,754,145	-	-	-	-	-	10,754,145
Total Expenditures	**$10,754,145**	**-**	**-**	**-**	**-**	**-**	**$10,754,145**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Positions							
Total Positions							36
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**36**
Total FTE							
Total FTE							36.00
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**36.00**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 107 - OJD ETS Services | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	929,270	-	-	-	-	-	929,270
Total Revenues	**$929,270**	**-**	**-**	**-**	**-**	**-**	**$929,270**
Services & Supplies							
IT Professional Services	929,270	-	-	-	-	-	929,270
Total Services & Supplies	**$929,270**	**-**	**-**	**-**	**-**	**-**	**$929,270**
Total Expenditures							
Total Expenditures	929,270	-	-	-	-	-	929,270
Total Expenditures	**$929,270**	**-**	**-**	**-**	**-**	**-**	**$929,270**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 108 - Limited Duration Positions | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	1,969,104	-	-	-	-	-	1,969,104
Total Revenues	**$1,969,104**	**-**	**-**	**-**	**-**	**-**	**$1,969,104**
Personal Services							
Class/Unclass Sal. and Per Diem	1,164,312	-	-	-	-	-	1,164,312
Empl. Rel. Bd. Assessments	371	-	-	-	-	-	371
Public Employees' Retire Cont	208,644	-	-	-	-	-	208,644
Social Security Taxes	89,069	-	-	-	-	-	89,069
Paid Family Medical Leave Insurance	4,657	-	-	-	-	-	4,657
Worker's Comp. Assess. (WCD)	322	-	-	-	-	-	322
Mass Transit Tax	6,941	-	-	-	-	-	6,941
Flexible Benefits	282,072	-	-	-	-	-	282,072
Total Personal Services	**$1,756,388**	**-**	**-**	**-**	**-**	**-**	**$1,756,388**
Services & Supplies							
Instate Travel	4,165	-	-	-	-	-	4,165
Employee Training	18,788	-	-	-	-	-	18,788
Office Expenses	18,550	-	-	-	-	-	18,550
Telecommunications	1,820	-	-	-	-	-	1,820
Data Processing	12,600	-	-	-	-	-	12,600
Publicity and Publications	651	-	-	-	-	-	651
Professional Services	24,724	-	-	-	-	-	24,724
IT Professional Services	23,800	-	-	-	-	-	23,800
Dues and Subscriptions	1,050	-	-	-	-	-	1,050

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 108 - Limited Duration Positions | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Facilities Rental and Taxes	62,160	-	-	-	-	-	62,160
Facilities Maintenance	1,456	-	-	-	-	-	1,456
Other Services and Supplies	13,272	-	-	-	-	-	13,272
Expendable Prop 250 - 5000	6,930	-	-	-	-	-	6,930
IT Expendable Property	22,750	-	-	-	-	-	22,750
Total Services & Supplies	**$212,716**	**-**	**-**	**-**	**-**	**-**	**$212,716**
Total Expenditures							
Total Expenditures	1,969,104	-	-	-	-	-	1,969,104
Total Expenditures	**$1,969,104**	**-**	**-**	**-**	**-**	**-**	**$1,969,104**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Positions							
Total Positions							7
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**7**
Total FTE							
Total FTE							7.00
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**7.00**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**
Pkg: 109 - CSS Position | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	235,394	-	-	-	-	-	235,394
Total Revenues	**$235,394**	**-**	**-**	**-**	**-**	**-**	**$235,394**
Personal Services							
Class/Unclass Sal. and Per Diem	130,056	-	-	-	-	-	130,056
Empl. Rel. Bd. Assessments	53	-	-	-	-	-	53
Public Employees' Retire Cont	23,306	-	-	-	-	-	23,306
Social Security Taxes	9,949	-	-	-	-	-	9,949
Paid Family Medical Leave Insurance	520	-	-	-	-	-	520
Worker's Comp. Assess. (WCD)	46	-	-	-	-	-	46
Mass Transit Tax	780	-	-	-	-	-	780
Flexible Benefits	40,296	-	-	-	-	-	40,296
Total Personal Services	**$205,006**	**-**	**-**	**-**	**-**	**-**	**$205,006**
Services & Supplies							
Instate Travel	595	-	-	-	-	-	595
Employee Training	2,684	-	-	-	-	-	2,684
Office Expenses	2,650	-	-	-	-	-	2,650
Telecommunications	260	-	-	-	-	-	260
Data Processing	1,800	-	-	-	-	-	1,800
Publicity and Publications	93	-	-	-	-	-	93
Professional Services	3,532	-	-	-	-	-	3,532
IT Professional Services	3,400	-	-	-	-	-	3,400
Dues and Subscriptions	150	-	-	-	-	-	150

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 109 - CSS Position | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Facilities Rental and Taxes	8,880	-	-	-	-	-	8,880
Facilities Maintenance	208	-	-	-	-	-	208
Other Services and Supplies	1,896	-	-	-	-	-	1,896
Expendable Prop 250 - 5000	990	-	-	-	-	-	990
IT Expendable Property	3,250	-	-	-	-	-	3,250
Total Services & Supplies	**$30,388**	**-**	**-**	**-**	**-**	**-**	**$30,388**
Total Expenditures							
Total Expenditures	235,394	-	-	-	-	-	235,394
Total Expenditures	**$235,394**	**-**	**-**	**-**	**-**	**-**	**$235,394**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Positions							
Total Positions							1
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**1**
Total FTE							
Total FTE							1.00
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**1.00**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 110 - Guardianship Program | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	291,318	-	-	-	-	-	291,318
Total Revenues	**$291,318**	**-**	**-**	**-**	**-**	**-**	**$291,318**
Personal Services							
Class/Unclass Sal. and Per Diem	174,240	-	-	-	-	-	174,240
Empl. Rel. Bd. Assessments	53	-	-	-	-	-	53
Public Employees' Retire Cont	31,224	-	-	-	-	-	31,224
Social Security Taxes	13,329	-	-	-	-	-	13,329
Paid Family Medical Leave Insurance	697	-	-	-	-	-	697
Worker's Comp. Assess. (WCD)	46	-	-	-	-	-	46
Mass Transit Tax	1,045	-	-	-	-	-	1,045
Flexible Benefits	40,296	-	-	-	-	-	40,296
Total Personal Services	**$260,930**	**-**	**-**	**-**	**-**	**-**	**$260,930**
Services & Supplies							
Instate Travel	595	-	-	-	-	-	595
Employee Training	2,684	-	-	-	-	-	2,684
Office Expenses	2,650	-	-	-	-	-	2,650
Telecommunications	260	-	-	-	-	-	260
Data Processing	1,800	-	-	-	-	-	1,800
Publicity and Publications	93	-	-	-	-	-	93
Professional Services	3,532	-	-	-	-	-	3,532
IT Professional Services	3,400	-	-	-	-	-	3,400
Dues and Subscriptions	150	-	-	-	-	-	150

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 110 - Guardianship Program | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Facilities Rental and Taxes	8,880	-	-	-	-	-	8,880
Facilities Maintenance	208	-	-	-	-	-	208
Other Services and Supplies	1,896	-	-	-	-	-	1,896
Expendable Prop 250 - 5000	990	-	-	-	-	-	990
IT Expendable Property	3,250	-	-	-	-	-	3,250
Total Services & Supplies	**$30,388**	**-**	**-**	**-**	**-**	**-**	**$30,388**
Total Expenditures							
Total Expenditures	291,318	-	-	-	-	-	291,318
Total Expenditures	**$291,318**	**-**	**-**	**-**	**-**	**-**	**$291,318**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Positions							
Total Positions							1
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**1**
Total FTE							
Total FTE							1.00
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**1.00**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 111 - Commissioner Stipend | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	112,234	-	-	-	-	-	112,234
Total Revenues	**$112,234**	**-**	**-**	**-**	**-**	**-**	**$112,234**
Personal Services							
Class/Unclass Sal. and Per Diem	-	-	-	-	-	-	-
Temporary Appointments	103,680	-	-	-	-	-	103,680
All Other Differential	-	-	-	-	-	-	-
Public Employees' Retire Cont	-	-	-	-	-	-	-
Social Security Taxes	7,932	-	-	-	-	-	7,932
Paid Family Medical Leave Insurance	-	-	-	-	-	-	-
Mass Transit Tax	622	-	-	-	-	-	622
Total Personal Services	**$112,234**	**-**	**-**	**-**	**-**	**-**	**$112,234**
Total Expenditures							
Total Expenditures	112,234	-	-	-	-	-	112,234
Total Expenditures	**$112,234**	**-**	**-**	**-**	**-**	**-**	**$112,234**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 111 - Commissioner Stipend | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Total Positions							
Total Positions							-
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 112 - Mandated Caseload for Juvenile | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	2,705,261	-	-	-	-	-	2,705,261
Total Revenues	**$2,705,261**	**-**	**-**	**-**	**-**	**-**	**$2,705,261**
Services & Supplies							
Professional Services	2,705,261	-	-	-	-	-	2,705,261
Total Services & Supplies	**$2,705,261**	**-**	**-**	**-**	**-**	**-**	**$2,705,261**
Total Expenditures							
Total Expenditures	2,705,261	-	-	-	-	-	2,705,261
Total Expenditures	**$2,705,261**	**-**	**-**	**-**	**-**	**-**	**$2,705,261**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Public Defense Svcs Comm**

Pkg: 113 - Capacity Expansion | **NOT AUDITED** | **Cross Reference Number: 40400-000-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	118,416,359	-	-	-	-	-	118,416,359
Total Revenues	**$118,416,359**	**-**	**-**	**-**	**-**	**-**	**$118,416,359**
Services & Supplies							
Professional Services	118,416,359	-	-	-	-	-	118,416,359
Total Services & Supplies	**$118,416,359**	**-**	**-**	**-**	**-**	**-**	**$118,416,359**
Total Expenditures							
Total Expenditures	118,416,359	-	-	-	-	-	118,416,359
Total Expenditures	**$118,416,359**	**-**	**-**	**-**	**-**	**-**	**$118,416,359**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

Application Contribution Program (ACP)

ORS 151.487 *et seq* provides the authority for judges to order individuals who apply for court-appointed counsel to pay the administrative costs of determining the eligibility of the person and the anticipated cost of public defense services prior to the conclusion of the case. Judicial Department Verification Specialist staff assist the courts in determining whether a person will be ordered to pay a $20 application fee and a "contribution amount" toward the anticipated public defense cost of the case. Application Contribution Program (ACP).

The COVID-19 pandemic and resulting restrictions appear to have reduced ACP revenue but, based on ACP revenue in 2019 and 2021, anticipated revenues for the 2023-25 biennium are $3,937,116. Of that amount, $3,078,754 is expected to be transferred to the Judicial Department to fund Verification Specialist positions. The revenue is not anticipated to provide sufficient resources to fully fund the Judicial Department.

Revenue is deposited in the Public Defense Services Account, pursuant to ORS 151.225 (3). The same chapter authorizes funds in the account to be used to reimburse the actual costs and expenses, including personnel expenses, incurred in the administration and support of the public defense system. Prior to transfer to the Judicial Department for the Verification Specialist positions in the courts, funds are anticipated to defray $858,362 of expenditures for Court Mandated Expenses.

Title IV-E

The commission leverages federal funds to defray the costs of representation by public defenders for juvenile dependency, juvenile delinquency, and termination of parental rights' cases. The agency has memorandum of understanding with the State of Oregon's Department of Human Services to draw funds under Title IV-E of the Social Security Act and the Act's amendments. Federal funds under Title IV-E are intended to relieve General Fund expenditures incurred by contracted public defender providers (such as non-profit public defender offices, consortia, and other firms), court-appointed public defenders, and other attorneys' or professional services firms' authorizations for Case Support Services (Non-Routine Expenses). The commission's budget anticipates $14,000,000 in federal funds limitation.

Agency Revenues

Detail of Lottery Funds, Other Funds, and Federal Funds Revenue

Source	Fund	ORBITS Revenue Account	2019 - 2021	2021 - 2023		2023 - 2025	
			Actuals	Legislatively Adopted	Estimated	Agency Request	Legislatively Adopted
Application Contribution Program		1198	4,072,850	4,449,667	3,357,231	3,937,116	Not applicable.
Title IV-E		1100	9,000,000	14,000,000	14,000,000	14,000,000	Not applicable.

Executive Division

Executive Summary

Division	LAB/ACT	2021-23	2023-25 (ARB)	2025-27	2027-29
Executive	LAB	3,743,464	4,351,766	4,612,872	4,889,644
	Actuals				

Program Overview

The Executive Division contains the agency's core leadership team, and it has primary responsibility for agency governance and ensuring compliance with ORS Chapter 151. ORS 151.216 directs the agency "to maintain a public defense system that ensures the provision of public defense services consistent with the Oregon Constitution, United States Constitution, and Oregon and national standards of justice."

Long Term Focus Areas

Agency vision and leadership to ensure a healthy, vital, and sustainable public defense system.

Primary Program Contact

Brian DeForest, Deputy Director

Executive Division

Executive Summary

Program Funding Request

The Executive Division contains 6 FTE – the executive director, the deputy director, general counsel, government relations manager, and two executive assistants.

Executive	GF	OF	TF	POS	FTE
LAB 21-23	3,743,464		3,743,464	8	7.88
CSL 23-25	3,201,876		3,201,876	6	6.00
ARB 23-25	4,351,766		4,351,766	10	9.76
GB 23-25					
LAB 23-25					
Difference	608,302		608,302	2	1.88
Pct Change	16.2%		16.2%	25.0%	23.9%

Program Description

The Executive Division has primary responsibility for the agency's leadership and governance. It develops and implements the agency's vision and ensures compliance with ORS Chapter 151. Pursuant to ORS 151.216, the Public Defense Services Commission (PDSC) has oversight over the agency and the state's public defense system. The Executive Division works closely with the PDSC to develop the agency's vision and establish policy in the provision of public defense services. The PDSC meets approximately 10-12 times per year, and the division works with the PDSC to plan these meetings.

Internally, the Executive Division oversees all other OPDS divisions, with each division having supervisors that report to either the executive director or deputy director. It also manages the agency's legal compliance. Externally, it manages the agency's positions on legislation and policy development. It also manages communications to elected officials, governmental actors, public defense attorneys, the media, and other interested parties.

Executive Division

Executive Summary

Program Justification and link to Long-Term Outcomes

A robust Executive Division is necessary to effectuate a healthy, vital, and sustainable public defense system. The legal services funded by OPDS is the largest coordinated law effort in the state of Oregon, serving indigent people in criminal, juvenile, civil commitment, contempt, probate, and other cases, at the trial and appellate level. Consistent leadership and governance are critical to the effective operation of these programs.

Additionally, the state has used the same service delivery model for trial-level public defense services since 1983. That model, and the outcomes from that model, has been criticized in recent reports by the Sixth Amendment Center and the American Bar Association. Stakeholders, policymakers, and public officials have uniformly called for a modernization of the state's public defense system. Modernizing an agency of this size and scope requires leadership, vision, and strong centralized planning.

Program Performance

The Executive Division is a new division that began July 1, 2021. Since its creation, the agency has hired a new executive director, deputy director, and government relations manager. It has also contracted with an internal auditor.

Over the past two budget cycles, the state's public defense system has received intense scrutiny and attention. With the support of the legislature, the agency has restructured external contracting policies with trial-level public defense providers. HB 5030 (2021) restructured the agency's budget appropriation and internal operations. HB 2003 (2021) amended ORS Chapter 151 and directed the PDSC to adopt policies in new areas to modernize the agency.

The Executive Division has managed the agency's response to HB 5030 and HB 2003. It has worked with the legislature and other policymakers to address the lack of public defense attorneys. And it has also worked with the PDSC to develop new public defense contracting policies, which went into effect July 1, 2022.

Enabling Legislation

Generally, ORS Chapter 151 establishes governance for the agency, with the PDSC responsible for selecting an executive director that is the chief executive of the Office of Public Defense Services. ORS 151.219 defines the duties of the executive director. The position of general counsel is grounded in ORS 151.219(1)(k).

Executive Division

Executive Summary

The Executive Division was created by HB 5030 (2021), which took effect on July 1, 2021. HB 5030 restructured the internal operations of OPDS and aligned its budget along cost centers. The budget report to HB 5030 stated, "the Division provides the leadership function and governance structure of the agency under the Commission and includes staff to support the Commission, the Executive Director, General Counsel, and Communications and Legislative Affairs."

Funding Streams

The Executive Division is entirely funded by General Fund.

Funding Justification and Changes to CSL

Funding for the 2023-25 budget remains entirely General Fund. Proposed enhancements to the Executive Division include addition of a public information officer which will provide enhanced communications both internally and externally. External communications with the service provider community is critical as OPDS brings policy, procedural and technology changes online throughout the biennium. Communications can easily become fractured and confusing. Provision of a robust communication delivery will reduce confusion and enhance consistency of messages.

The following policy option packages impact the Executive Division and are contemplated by other programs herein.

- Policy Package 104 – Program Design and Research
- Policy Package 108 – Limited Duration Positions to Permanent
- Policy Package 111 – Commissioner Stipend

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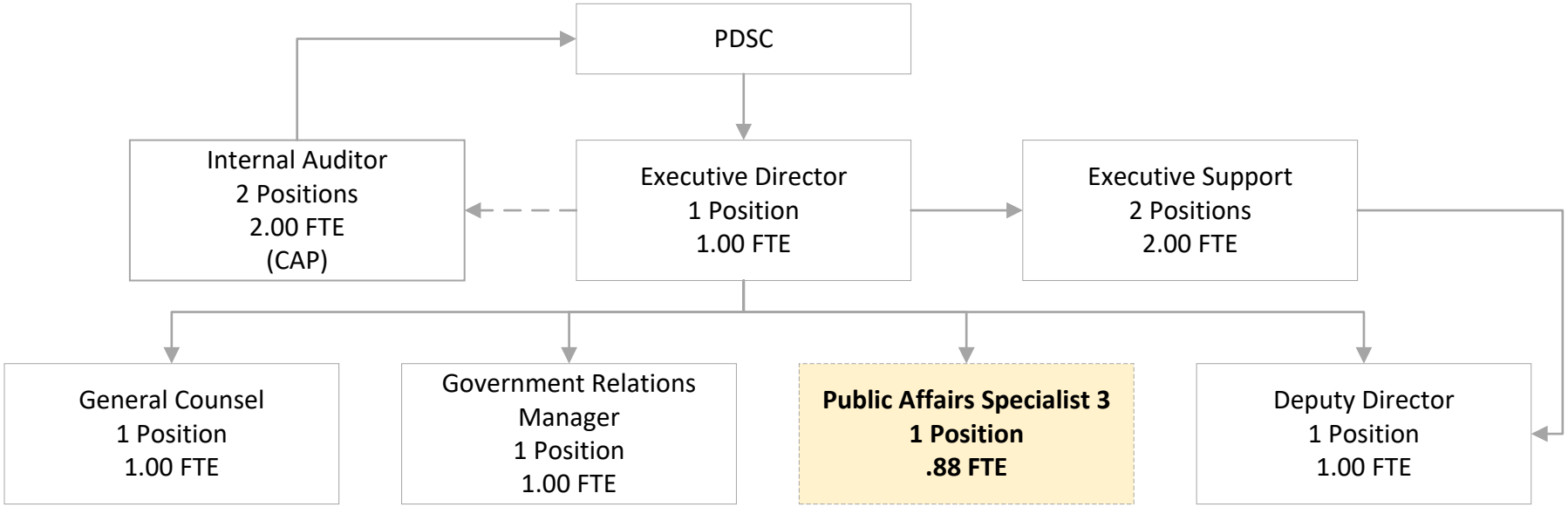
Executive Division

Organizational Chart

2023-2025 Agency Request Budget

9 Positions 8.88 FTE



Executive Division

Essential Packages

The essential packages present budget adjustments needed to bring the legislatively approved budget to current service level (CSL), the calculated cost of continuing legislatively approved programs into the 2023 – 25 biennium. The 2023 – 25 current service level is inclusive and only inclusive of the agency's 2023 – 25 base budget, a close derivative of the 2021 – 23 legislatively approved budget, and the essential packages, as defined in State of Oregon's biennial budget instructions.

Revenue Source

Essential packages in Executive Division reduce the agency's General Fund budget by $67,987.

Staffing Impact

There is no staffing impact.

Package No.	Package No. Description	Fund	Amount
010	Non-PICS Personal Services Adjustments (Inflation, Vacancy Savings, etc.)	General	(115,772)
021	Program Phase-in (2021 – 23 Legislatively Adopted Packages)	General	0
022	Program Phase-out (2021 – 23 Program or Expiration of Limited Duration Positions)	General	0
031	Standard Inflation and DAS Budget Instructions Price List Adjustments	General	47,785
032	Above Standard Inflation (Medical or Analyst Approved Inflation)	General	0
033	Exceptional Inflation	General	0

Executive Division

Essential Packages

Package No.	Package No. Description	Fund	Amount
040	Mandated Caseload	General	0
050	Fund Shifts	General	0
060	Technical Adjustments	General	0
Total 2023 – 2025 Current Service Level Essential Packages		General	**(67,987)**
BASE	2023 – 2025 Base Budget	General	3,269,863
2023 – 2025 Current Service Level		**General**	**3,201,876**

What would this policy option package do and how would it be implemented? By the Fall of 2024, with the proposed staffing, the agency will produce written policies, procedures, and processes for both the agency and public defense providers to adhere to consistent with legislative directives. The establishment of needed policies and procedures will allow the agency to provide oversight of these functions, increasing agency capacity to support high-quality, zealous legal representation, provide oversight of legal representation for indigent clients, and engage in robust data collection and analysis to inform appropriate procurement methods to contract with public defense providers around the state. These efforts will result in increased leadership, better communication, and more transparency to the agency's work.

Why does the PDSC propose this POP? HB 5030 (2021) directed the Public Defense Services Commission (PDSC) to establish compliance, audit, and performance measures to strengthen the PDSC's program management, performance, and oversight. This legislative directive will enable PDSC to establish and develop the infrastructure to support public defense attorneys, and other entities that work in the public safety system, to provide quality legal representation and related services to financially eligible persons.

A practice-informed and outcome-based model for compliance and oversight will enable the agency to better evaluate and manage the provision of legal representation services to indigent clients and to provide better information to the legislature, providers, and other interested parties. The establishment of compliance, audit, and performance measures will necessitate additional staffing to ensure increased effectiveness of public defense attorneys, entities, and others providing legal representation and related services.

Consistent with the Budget Report for HB 5030, The Office of Public Defense Services (OPDS) established a Trial Division, comprised of Adult Criminal and Juvenile sections, the latter of which includes the Parent Child Representation Program. This division is comprised of Criminal Trial Counsel and Juvenile Trial Counsel and Program Analysts who work collaboratively with each other to ensure the successful delivery of public defense services statewide through the daily interface with the contracted attorneys and other public defense providers, the trial courts, and other stakeholders in the public defense system.

In addition to the Trial Division, which is involved in the day-to-day programming, OPDS proposes to create a division under the direction of the Deputy Director which integrates informed research, program evaluation, and policy development managed under the oversight of a legal Program Manager (1.0 FTE) and a Program Design and Policy Manager. Additional staffing under the Compliance Audit, and performance (CAP) Division will include a Research Manager, a Research Analyst, and several Operation and Policy Analysts (4 FTE).

The CAP Division will work directly with the Trial Division to establish policies and processes, attorney workload models, evaluation tools, and monitoring plans. This initial groundwork is critical to setting the stage for the next phase of quality assurance, optimizing the efficiency and effectiveness of public defense attorneys, increasing the agency's capacity to identify and deliver tools, technical assistance, trainings and other resources to providers, and to identify and develop policies and practices that support quality public defense in Oregon.

The development of the CAP Division will enhance the capacity of the Trial Division to address current deficiencies in the public defense delivery model, increase attorney capacity, and improve the overall efficiency and quality of public defense in this state. Specifically, this division will allow the agency to measure caseloads, workloads, and other metrics to ensure enhanced caseload forecasting, and to establish performance measures and methods for the monitoring compliance with state and national practice standards, client and system outcomes, internal financial controls, and standards applicable to court supported services needed for quality representation.

Together, the Trial Division and the CAP Division will deliver the compliance, audit, and performance measures and program development the legislature contemplated with the reorganization of the agency.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? Adding additional capacity to the agency contributes to the agency's mission by directly supporting public defense attorneys and other entities that work in the public safety system providing legal representation and related services to financially eligible persons. The CAP Division is integral to the core mission of an outcome-based program delivery model that enables the agency to better evaluate and manage the provision of legal representation services to indigent clients and provide better data to inform policy making by the legislature, providers, and other interested parties. Additionally, the disciplines provided by the division will contribute to the success of the Agency's Strategic Plan and other goals. This will support the values and priorities of the PDSC to provide services to ensure public defense attorneys and other providers are adequately supported by the investment made to the communities served by the agency.

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? No. Success of this package will be measured by stabilization of recruitment and retention of public defense attorneys and other providers of services around the state and developing consistent policies and procedures, robust data collection and analysis of data, and a workload model that provides public defense attorneys time to provide quality representation to persons who are financially eligible. Additionally, this new functionality enables the agency to better forecast the projected needs of the public defense system in

Oregon, increase transparency and accountability regarding the public defense services provided, develop greater internal controls related to the costs and quality of public defense services, and provide for transparency through established policies and procedures which will inform rates and enhanced workload model.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No.

What alternatives were considered and what were the reasons for rejecting them? No alternatives were considered. Prior to HB 5030, the agency was a pass-through agency.

What would be the adverse effects of not funding this POP? The agency would continue to be reactive instead of moving to a more proactive approach in managing contracts, data and ensuring quality public defense services to clients. Without the investment of infrastructure, the agency would not have the resources to adequately manage and analyze data and other information regarding public defense to set adequate workloads, attorney-compliance with performance standards, client and system outcomes, manage the capacity and other jurisdictional issues throughout the state. The agency would be limited in the information it could provide to the legislature and other entities requesting information regarding deficiencies in the state's ability to ensure adequate and timely public defense representation.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? None.

What is your equity analysis? Without further investment in the public defense system, finically eligible clients of all backgrounds will continue to be impacted by the high caseloads, insufficient oversight and quality assurance, system-wide inequities and inefficiencies, and minimized capacity in providing quality representation.

What assumptions affect the pricing of this POP? The assumptions affecting the pricing would be based on the implementation of the positions.

To provide for the efficient, effective, and equitable delivery of quality public defense services, increased monitoring, transparency, and accountability over the delivery of public defense services, enhanced internal controls, and increased capacity for informed, data-driven policy making both within the agency and in conjunction with legislature and other justice system stakeholders.

To meet the legislative expectations of monitoring the agency's provision of public defense services, PDSC/OPDS will develop policies, procedures and processes related to the delivery of legal representation to those who are financially eligible. These established policies and procedures must be communicated to the public defense community for understanding and adherence. Policy, procedure, and process is the first step in the development of the agency's outcome-based program delivery model. The proposed CAP Division and the additional staffing in this request will allow the agency to produce written policies, procedures and processes for both the agency and public defense providers to adhere to, no later than the Fall of 2024.

The CAP Division will be critical to the development of a framework for measuring and evaluating attorney and entity compliance and performance against state and national performance standards and client and system outcomes. This monitoring and evaluation framework will be the basic structure for how the agency moves forward. The monitoring and evaluation tools will inform the build out of the new financial management system. This will include reporting of provider activities and outcomes related to performance standards and plans for addressing deficiencies through targeted interventions, policy development, and identifying additional resource needs.

The proposed timeline for policy and process aligns with the Financial Services Management (FSM) system timeline as the agency is currently in the early stages of this project. By fall of 2024, the agency will have data reporting requirements in place to begin streamlining the required data reporting from public defense attorneys, entities, and other providers. The collection and analysis of data is instrumental in developing models to aid in workload reduction for public defense attorneys, internal controls, and the monitoring and evaluation of trial-level programs. Collecting timely and relevant data will allow the agency to create stabilized workloads enabling providers to provide quality, efficient, equitable, and timely representation to financially eligible clients, reducing barriers to disadvantaged and underrepresented populations.

Another aspect of this restructuring of the agency that directly impacts the success of the PDSC/OPDS is the retention of public defense attorneys. Standardized pay and stabilizing workloads will support workforce retention by creating a desirable environment for providers to no longer feel they are drowning in cases. As the American Bar Association study on the status of the Oregon public defense system alerted the PDSC in early 2022, the state currently has roughly 1/3 the necessary attorneys to handle the increasing

caseload around the state. Meeting the needs in each jurisdiction around the state can only be achieved by establishing standardized pay scales and stabilizing workloads.

Implementation Date: July 1, 2023.

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** No.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** None have been requested.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** With the development of better data reporting and attorney oversight, the agency intends to move toward a workload model for attorney providers, to better manage the provision of trial level legal representation services and ensure representation for all those entitled to court-appointed counsel at state expense in Oregon. Those individuals are disproportionately comprised of underrepresented and disadvantaged populations. Changes to attorney workloads will result in lowering the total number of cases as well the number of higher-level felony cases that an attorney can be appointed to at any given time. This in turn allows public defense attorneys to provide better, more engaged representation to these affected populations.

Until the work of developing a more robust data reporting system and monitoring and oversight processes is underway, the agency is unable to quantify the outcomes of any workload changes.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** HB 5030 shifted existing infrastructure in the agency including research and data and deputy general counsel positions. This also added additional attorney capacity creating a base infrastructure for the division. The PDSC has evaluated the structure and has determined that there are deficiencies in the structure for leadership, program management, policy and procedure development and external communications to meet the legislature's expectations set forth in HB 5030.

The POP requests the following in the Executive Division:

Public Affairs Specialist:

PDSC is requesting a Public Affairs Specialist 1 (1 FTE) to coordinate, draft, review and disseminate all agency communications internally and externally, including media relations. This position will be responsible for handing all public records requests that have increased exponentially of the last two years. It's important for the agency to have a consistent communication that comes from one office of the agency responding to all inquiries from the Commission, stakeholders, legislators, providers, clients, Oregonians, and interest groups.

Diversity and Workforce Training Manager:

PDSC is requesting a Manger 3 (1 FTE) to establish a Diversity/Equity/Inclusion and Workforce Development office. This position will lead the agency in the development of workforce development and diversity, equity and inclusion both internally and externally. Human Resources has indicated to the legislature through quarterly human resources activities report that a plan for a workforce development strategy is being developed. This position will address the deficient areas in the workforce including but not limited to equity and inclusion, onboarding, employee training and continued education, cultural competence, organizational change management, succession planning, recruitment and retention planning, talent acquisition and outreach, etc. This position will also work directly with the provider community in providing assistance and resources to their challenges with recruitment, retention, and diversity and inclusion efforts to ensure the system is providing constitutional representation to clients. The agency will partner on outreach and recruiting efforts to increase applicant pools that will result in filling the system with the needed resources. Additionally, by adding the equity and inclusion lens, this will assist in the outreach efforts to ensure diverse applicant pools and help ensure that the agency and its providers are providing culturally competent representation and can better meet the needs of the underrepresented populations they serve.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** Normal cost associated with new employees.

f. **What are the ongoing costs?** If this package is adopted and included in the PDSC 2025-27 base budget, the total cost in Executive, CAP and Administrative Services Divisions would be $3,640,341.

g. **What are the potential savings?** None.

Executive Division

Policy Option Package 108 – Limited Duration Positions to Permanent Positions

What would this policy option package do and how would it be implemented? This package is to provide stability by making limited durations permanent to address deficiencies in the administration of OPDS. All positions have been filled through open-competitive recruitments and have demonstrated a permanent and ongoing workload need addressing capacity within the agency's infrastructure.

Why does the PDSC propose this POP? PDSC is proposing a package that provides stabilization to the workforce with a net zero impact. The agency recommends taking the limited duration positions allocated under HB 5030 from the 2021 regular session and provide permanency. Each of the positions are outlined below.

The agency lacks sufficient infrastructure support in operations of the agency. The investment of appropriate resources is necessary in the agency making the transition from being a pass-through agency to becoming a regulatory agency, advancing modernization efforts.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? This package aligns with the mission of PDSC by addressing capacity and deficiency issues that directly or indirectly support the delivery of services to ensure right to representation of clients is advanced.

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? No. The agency continues to demonstrate the success of these positions by the improvements made in the support of employees and delivery of services that aligns with legislative expectations.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No.

What alternatives were considered and what were the reasons for rejecting them? Historically, the agency, under Judicial Branch authority, has created administrative positions to address the ongoing deficiencies in the agency outside of the standard budgetary process. While this is not optimal, it has demonstrated an ongoing need of investment in the infrastructure to support the needs of the agency, the provider community, and clients.

For the agency to continue to create new positions administratively outside the budget process does not provide the needed credibility from the legislature. The agency desires transparency and support by the legislature. Therefore, the agency has rejected alternatives that could solve ongoing capacity issues administratively because the agency wants the support from the legislature in growing the agency to a mature operating system within state government, that delivers services to indigent Oregonians.

What would be the adverse effects of not funding this POP? By not funding a position for provider contracting, the agency will be hindered in its ability to execute timely contracts with providers that provide services directly to clients. This would be a direct impact to the client population, as there are already deficiencies in the system where there is not enough representation available for the client population. These positions work directly with providers in assignment of cases. Without this resource, it minimizes the agency capacity to provide these services in a timely manner.

By not funding the Human Resources Analyst 2 positions, this would eliminate the ability to provide the daily support to employees and managers in adherence to state and federal laws. This could result in unfair labor practices, grievances, and violations of employment law. This work is necessary to ensure employees receive statutorily required services protecting employee property rights.

By not funding the policy analyst positions, the agency would not have capacity for policy development or legislative support, which could result in not meeting legislative expectations and putting liability on the agency by not having documented policies that support delivery of services. Without the legislative support the agency will be lacking the resources necessary to respond to new legislative concepts, track legislation that has a direct impact on the system and the agency, nor able to provide adequate response to fiscal impacts.

By not funding the data analyst positions, the agency would not have capacity to collect and analyze data to inform modeling and reporting to the legislature. This would also be a hinderance to the Finance Case Management System project in identify data sets needed to build the system to provide informed data. As the agency builds creditability with the legislature and stakeholders, the need for informed data analysis is critical to the transparency of the agency in moving forward.

The request for these positions is to continue at the current service level without any further financial impact, keeping the agency whole. By not funding these positions the agency would regress in its ability to continue its modernization efforts. The agency would be as risk for potential litigation and transparency to the legislature.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? None

What is your equity analysis? This package helps provide stability within the administration of the agency. Without this infrastructure, the agency could potential hinder populations impacted because there is not optimal support needed to provide services internally, nor providing delivery service externally that will directly impact the client.

What assumptions affect the pricing of this POP?

Implementation Date(s): July 1, 2023.

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** None.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** None.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** None.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** No.

The POP requests the following in the Executive Division:

Policy

The agency has historically been a pass-through agency of funds to public defense service providers. In 2019 it was identified that the agency did not have resources dedicated to two very specific administrative functions that are standard within state government agencies. The two administrative resources including internal agency policy development and legislative coordination and tracking.

The agency has no administrative rules or program policies in how public defense services are delivered including but not limited to accounting procedures, payment procedures, program delivery, etc. The agency similarly does not have any resources dedicated to legislative support. Being part of the Public Safety branch of government and a part of the public defense system in Oregon, legislative initiatives are very common and as the public defense system is being considered by all three branches of government, there is a need for this dedicated recourse.

Without the enjoyment of administrative infrastructure to the agency, the agency has taken what limited resources available and administratively creating opportunities to address these deficiencies. In 2020 a position was reclassed through a permanent finance plan to address the need for internal policy development on delivery of services. Additionally, with the addition of add Research Analyst 4's to the structure under HB 5030, this provided an opportunity for the agency to take an existing Operations and Policy Analyst position an assign the legislative work.

During the 2021 regular legislative session, both of these positions were moved from permanent to limited duration.

The agency is requesting the 1 FTE Operations and Policy Analyst 4 and 1 FTE Operations and Policy Analyst 2 be made permanent.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** None.

f. **What are the ongoing costs? PS & S&S** If this package is adopted and included in the PDSC 2025-27 base budget, the total cost in Executive, CAP and Administrative Services Division would be $2,085,123.

g. **What are the potential savings?** None.

What would this policy option package do and how would it be implemented? This Package anticipates compensating each commissioner $480 per month for their contributions to the public defense issues. HB 2992 (2021) is intended to reduce systemic barriers to participation on state boards and commissions. The law allows compensation to be paid to commission members up to the per diem paid to members of Oregon's legislature for each day they perform commission related duties. The law requires such payment for commission members with adjusted gross income in the previous tax year of less than $50,000 (or $100,000 for joint filers), though members may decline.

Why does the PDSC propose this POP? Due to the nature of circumstances, commissioners are spending an overabundance of time working with the agency and providers to handle a constitutional crisis. As other commissions provide compensation for commissioners it is a matter of equity.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? It is intended to reduce barriers to participation as a PDSC member, as required by HB 2992 (2021).

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? There are no performance measures associated with this package.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No.

What alternatives were considered and what were the reasons for rejecting them? There have been no alternatives considered.

What would be the adverse effects of not funding this POP? There are no adverse effects from not funding this POP. This is a matter of equity compensation for this commission in respect to other commissions and boards.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? There are none.

What is your equity analysis? There has not been an equity analysis done, however many commissions throughout the state already provide compensation in accordance with ORS 292.495 and some provide by rule compensation to board members for the performance of official duties at a rate greater than the rate provided in ORS 292.495.

What assumptions affect the pricing of this POP? Compensation is dependent on the agency's budgetary limitations and approval of the legislative body.

Implementation Date(s): July 1, 2023.

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** None.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** None.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** None.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** Not applicable.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** Not applicable.

f. **What are the ongoing costs?** The biennial costs associated with nine members.

g. **What are the potential savings?** None.

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Executive Division**

Pkg: 010 - Vacancy Factor and Non-ORPICS Personal Services | **NOT AUDITED** | **Cross Reference Number: 40400-100-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	(115,772)	-	-	-	-	-	(115,772)
Total Revenues	**($115,772)**	**-**	**-**	**-**	**-**	**-**	**($115,772)**
Personal Services							
All Other Differential	(114,685)	-	-	-	-	-	(114,685)
Public Employees' Retire Cont	(20,551)	-	-	-	-	-	(20,551)
Pension Obligation Bond	25,719	-	-	-	-	-	25,719
Social Security Taxes	(8,773)	-	-	-	-	-	(8,773)
Paid Family Medical Leave Insurance	(458)	-	-	-	-	-	(458)
Mass Transit Tax	2,976	-	-	-	-	-	2,976
Vacancy Savings	-	-	-	-	-	-	-
Total Personal Services	**($115,772)**	**-**	**-**	**-**	**-**	**-**	**($115,772)**
Total Expenditures							
Total Expenditures	(115,772)	-	-	-	-	-	(115,772)
Total Expenditures	**($115,772)**	**-**	**-**	**-**	**-**	**-**	**($115,772)**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Executive Division**

Pkg: 022 - Phase-out Pgm & One-time Costs | **NOT AUDITED** | **Cross Reference Number: 40400-100-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	-	-	-	-	-	-	-
Total Revenues	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Services & Supplies							
Instate Travel	-	-	-	-	-	-	-
Employee Training	-	-	-	-	-	-	-
Office Expenses	-	-	-	-	-	-	-
Telecommunications	-	-	-	-	-	-	-
Data Processing	-	-	-	-	-	-	-
Publicity and Publications	-	-	-	-	-	-	-
Professional Services	-	-	-	-	-	-	-
IT Professional Services	-	-	-	-	-	-	-
Total Services & Supplies	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Expenditures							
Total Expenditures	-	-	-	-	-	-	-
Total Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Executive Division**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-100-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	47,785	-	-	-	-	-	47,785
Total Revenues	**$47,785**	**-**	**-**	**-**	**-**	**-**	**$47,785**
Services & Supplies							
Instate Travel	357	-	-	-	-	-	357
Employee Training	1,274	-	-	-	-	-	1,274
Office Expenses	-	-	-	-	-	-	-
Telecommunications	-	-	-	-	-	-	-
Data Processing	-	-	-	-	-	-	-
Publicity and Publications	44	-	-	-	-	-	44
Professional Services	42,369	-	-	-	-	-	42,369
IT Professional Services	3,373	-	-	-	-	-	3,373
Dues and Subscriptions	71	-	-	-	-	-	71
Expendable Prop 250 - 5000	297	-	-	-	-	-	297
Total Services & Supplies	**$47,785**	**-**	**-**	**-**	**-**	**-**	**$47,785**
Total Expenditures							
Total Expenditures	47,785	-	-	-	-	-	47,785
Total Expenditures	**$47,785**	**-**	**-**	**-**	**-**	**-**	**$47,785**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Executive Division**

Pkg: 104 - Program Design and Research | **NOT AUDITED** | **Cross Reference Number: 40400-100-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	490,888	-	-	-	-	-	490,888
Total Revenues	**$490,888**	**-**	**-**	**-**	**-**	**-**	**$490,888**
Personal Services							
Class/Unclass Sal. and Per Diem	332,745	-	-	-	-	-	332,745
All Other Differential	-	-	-	-	-	-	-
Empl. Rel. Bd. Assessments	92	-	-	-	-	-	92
Public Employees' Retire Cont	59,628	-	-	-	-	-	59,628
Social Security Taxes	25,455	-	-	-	-	-	25,455
Paid Family Medical Leave Insurance	1,331	-	-	-	-	-	1,331
Worker's Comp. Assess. (WCD)	80	-	-	-	-	-	80
Mass Transit Tax	1,039	-	-	-	-	-	1,039
Flexible Benefits	70,518	-	-	-	-	-	70,518
Total Personal Services	**$490,888**	**-**	**-**	**-**	**-**	**-**	**$490,888**
Total Expenditures							
Total Expenditures	490,888	-	-	-	-	-	490,888
Total Expenditures	**$490,888**	**-**	**-**	**-**	**-**	**-**	**$490,888**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Executive Division**

Pkg: 104 - Program Design and Research | **NOT AUDITED** | **Cross Reference Number: 40400-100-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Total Positions							
Total Positions							2
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**2**
Total FTE							
Total FTE							1.76
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**1.76**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Executive Division**

Pkg: 108 - Limited Duration Positions | **NOT AUDITED** | **Cross Reference Number: 40400-100-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	546,768	-	-	-	-	-	546,768
Total Revenues	**$546,768**	**-**	**-**	**-**	**-**	**-**	**$546,768**
Personal Services							
Class/Unclass Sal. and Per Diem	369,912	-	-	-	-	-	369,912
Empl. Rel. Bd. Assessments	106	-	-	-	-	-	106
Public Employees' Retire Cont	66,288	-	-	-	-	-	66,288
Social Security Taxes	28,298	-	-	-	-	-	28,298
Paid Family Medical Leave Insurance	1,480	-	-	-	-	-	1,480
Worker's Comp. Assess. (WCD)	92	-	-	-	-	-	92
Flexible Benefits	80,592	-	-	-	-	-	80,592
Total Personal Services	**$546,768**	**-**	**-**	**-**	**-**	**-**	**$546,768**
Total Expenditures							
Total Expenditures	546,768	-	-	-	-	-	546,768
Total Expenditures	**$546,768**	**-**	**-**	**-**	**-**	**-**	**$546,768**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Executive Division**

Pkg: 108 - Limited Duration Positions | **NOT AUDITED** | **Cross Reference Number: 40400-100-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Total Positions							
Total Positions							2
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**2**
Total FTE							
Total FTE							2.00
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**2.00**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Executive Division**

Pkg: 111 - Commissioner Stipend | **NOT AUDITED** | **Cross Reference Number: 40400-100-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	112,234	-	-	-	-	-	112,234
Total Revenues	**$112,234**	**-**	**-**	**-**	**-**	**-**	**$112,234**
Personal Services							
Class/Unclass Sal. and Per Diem	-	-	-	-	-	-	-
Temporary Appointments	103,680	-	-	-	-	-	103,680
All Other Differential	-	-	-	-	-	-	-
Public Employees' Retire Cont	-	-	-	-	-	-	-
Social Security Taxes	7,932	-	-	-	-	-	7,932
Paid Family Medical Leave Insurance	-	-	-	-	-	-	-
Mass Transit Tax	622	-	-	-	-	-	622
Total Personal Services	**$112,234**	**-**	**-**	**-**	**-**	**-**	**$112,234**
Total Expenditures							
Total Expenditures	112,234	-	-	-	-	-	112,234
Total Expenditures	**$112,234**	**-**	**-**	**-**	**-**	**-**	**$112,234**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Executive Division**

Pkg: 111 - Commissioner Stipend | **NOT AUDITED** | **Cross Reference Number: 40400-100-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Total Positions							
Total Positions							-
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**-**

Compliance, Audit, and Performance Division

Executive Summary

Division	LAB/ACT	2021-23	2023-25 (ARB)	2025-27	2027-29
Compliance, Audit, and Performance	LAB	4,904,660	8,137,944	8,626,221	9,143,794
	Actuals				

Program Overview:

The Compliance, Audit & Performance (CAP) Division provides oversight of and support to public defense providers and entities that handle criminal, juvenile dependency, juvenile delinquency, civil commitment, post-conviction relief, and habeas corpus cases for people entitled to court-appointed counsel at state expense.

Long Term Focus Areas

Ensuring that court-appointed counsel provides high-quality, zealous representation for clients.

Primary Program Contact

Laurie Bender, Chief Criminal Trial Counsel

Shannon Flowers, Chief Juvenile Trial Counsel

Compliance, Audit, and Performance Division

Executive Summary

Program Funding Request

Compliance, Audit, and Performance	GF	OF	TF	POS	FTE
LAB 21-23	4,904,660		4,904,660	13	11.27
CSL 23-25	5,082,565		5,082,565	11	11.00
ARB 23-25	8,137,944		8,137,944	24	22.80
GB 23-25					
LAB 23-25					
Difference	3,233,284		3,233,284	11	11.53
Pct Change	65.9%		65.9%	84.6%	102.3%

Program Description

Pursuant to legislative direction in the budget report for HB 5030 (2021), the Public Defense Services Commission's (PDSC's) primary budget measure, the PDSC established the CAP Division of OPDS "to help strengthen the agency's program management, performance, and oversight." HB 5030 A (2021) Budget Report at 6, available at https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureAnalysisDocument/62594.

The CAP Division is comprised of the Legal Program and the Research Section. Closely related to CAP are the Criminal Trial and the Juvenile Trial Sections, each currently made up of a Chief Trial Counsel and three Deputy Trial Counsels, all of whom are experienced providers of public defense services with expertise in criminal and/or juvenile law. Those attorney staff work collaboratively—both with the CAP Division and with staff throughout the agency—to provide oversight of and support to the independent contractors who provide the vast majority of legal representation and related services to those in Oregon who are entitled to court-appointed counsel at state expense.

The CAP Division's Organizational Plan and Anticipated Role in Day-to-Day Agency Operations

The organizational plan for the CAP Division anticipates the following two sections:

- **Legal Program**: The Legal Program will be responsible for implementing and managing the five-year CAP Program Plan. This involves working collaboratively with Trial Division leadership and the Research team to develop and define practice-specific workload models for all case-types, including adult criminal, juvenile delinquency, juvenile dependency, civil commitments, post-conviction relief, and appeals. The Legal Program will work to establish a consistent framework for measuring and evaluating attorney, entity, and non-attorney provider compliance and performance against practice-specific state and national performance standards, constitutional standards, and against case, client, and system outcomes. The Legal Program will also work collaboratively with the Trial Division, Research and Policy teams, and the Finance Manager, developing practice-informed internal controls, policies, and procedures for case support services and court-mandated expenses. The development of policies, procedures, and processes related to public defense provider compliance and performance will be centralized in the legal program section.

- **Research**: The Research team will develop and implement the research agenda for CAP and conduct research activities in support of other facets of the agency. In its first years, this will involve working collaboratively with the Legal Program Manager, Trial Division leadership, and IT/Data Team formulate high-level, guiding principles that will help frame analytic activities pertaining to implementation, monitoring and evaluation of attorney and other service provider compliance, monitoring and performance evaluation. Also working collaboratively, the research team will develop practice-specific workload models for all case types, identify data points and collection tools needed to track attorney caseloads and workloads, and client, case, and system outcomes, and conduct special projects to identify deficiencies and potential improvements in the delivery of public defense services and outcomes.

The CAP Division's Plan for Improved Administration, Monitoring, Evaluation & Support

The CAP Program Plan is staged in two phases. Phase I encompasses immediate agency needs and building the agency's internal monitoring and evaluation capacity by:

- Ensuring ongoing and systematic monitoring of caseloads and other metrics to enable better forecasting, identify contract and jurisdictional capacity issues, ensure contract compliance and auditing of expenses, and allow the agency to better identify and respond to immediate and emerging issues;

- Establishing an approach for analyzing attorney workload for all case types, with the goal of monitoring attorney workload and establishing a Key Performance Measure tied to workload in 2025;

- Improving monitoring and internal policies and controls over Case Support Services (CSS) (formerly non-routine expenses) approvals and court-mandated expenses; and

- Building the agency's internal capabilities with respect to policy formation and analysis, monitoring and evaluation, and improving internal processes and controls.

Phase II encompasses the development of monitoring and support plans for providers and entities. It is divided into two sub-phases, which reflect the agency's current limited information technology and data infrastructure and the anticipated capacities that will come with the implementation of a Financial Case Management System, which is anticipated to occur by 2025:

- Sub-phase I: Identification and implementation of a few preliminary quantitative indicators of attorney quality based on state and national performance standards and monitoring of those indicators over the 2023 and 2024 contract cycles.

- Sub-phase II: Development and implementation of a robust monitoring and support plan over the 2025 and 2027 contracting cycles, which will measure and evaluate attorney and entity performance using qualitative and quantitative process measures, client case outcomes, and client and stakeholder perceptual outcomes, and build out of the agency's capacity to identify and deliver tools, technical assistance, targeted trainings, and other resources to providers, and identify and develop policies, protocols, and practices that support quality public defense services across the state.

This plan creates a process by which the collection of qualitative and quantitative data facilitates monitoring of contracts, providers, and entities; ensures programmatic fidelity; provides for the systematic evaluation of program impacts on clients and systems; and facilitates ongoing and data-informed improvement of agency programs, protocols, policies, and practices in support of efficient and quality public defense services. It further lays the foundation for the next stage of the CAP Division's development, which is to assist the agency in measuring, evaluating, and ultimately ensuring that it is meeting its constitutional and statutory obligation of delivering high-quality public defense services to all eligible persons in the state.

Moreover, the CAP Division will provide guidance and support to the PDSC regarding alternative models for the delivery of public defense services based on research regarding the performance and outcomes in Oregon's system, as well as public defense systems in other jurisdictions.

Program Justification and link to Long-Term Outcomes

As set out more fully in the summaries for the Criminal Trial and Juvenile Trial Divisions, the United States Constitution, the Oregon Constitution, and/or Oregon statutes entitle financially eligible individuals to court-appointed counsel at state expense in criminal, juvenile dependency, juvenile delinquency, termination-of-parental-rights, civil commitment, post-conviction relief, and habeas corpus cases. The right to counsel is the right to the adequate and effective assistance of counsel. Strickland v. Washington, 466 US 668, 687 (1984); Dept. of Human Services v. T.L., 358 Or 679 (2016); State ex rel. Juv. Dept. v. Geist, 310 Or 176, 185-87 (1990); State ex rel. Juv. Dept. v. Jones, 191 Or App 17, 23 (2016); see also Montez v. Czerniak, 355 Or 1, 6, adh'd to as modified on recons., 355 Or 598 (2014) ("The defendant's right [to counsel] is not just to a lawyer in name only, but to a lawyer who provides adequate assistance.").

The CAP Division bears primary responsibility for ensuring that the agency continuously meets its obligation to provide high-quality, zealous legal representation for those in Oregon entitled to court-appointed counsel by monitoring the delivery of public defense services and providing guidance to the PDSC and agency regarding policies and procedures that will support and promote high-quality representation.

Program Performance

The CAP Division was created by HB 5030 (2021) and is beginning its work with plans noted above.

Enabling Legislation

The legislature established the CAP Division in House Bill 5030 (2021), the agency's primary budget measure. HB 5030 A (2021) Budget Report at 6-8, available at https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureAnalysisDocument/62594.

During the same session, the Legislature adopted House Bill (HB) 2003 (2021), which required the agency to adopt policies for contracting that (1) ensure compensation, resources and caseloads are in accordance with national and regional best practices; (2) ensure funding and resources to support required data collection and training requirements; (3) recognize the need to consider overhead costs and account for the cost of living and business cost differences in each jurisdiction, (4) establish operational and contracting systems that allow for oversight, ensure transparency and stakeholder engagement and promote equity, inclusion, and culturally specific-representation, and (5) adopt a statewide workload plan, based on the caseload policies, that takes into account the needs of each county or jurisdiction, practice structure, and type of practice overseen by the agency. HB 2003 also requires the agency to promote policies for public defense provider compensation and resources that are comparable to prosecution compensation and resources.

Funding Streams

The division is entirely funded by General Fund.

Funding Justification and Changes to CSL

The following policy option packages impact the Compliance, Audit, and Performance Division and are contemplated by other programs herein.

- Policy Package 104 – Program Design and Research (CAP Division)
- Policy Package 108 – Limited Duration Positions to Permanent

[This page intentionally left blank. Organizational chart follows.]

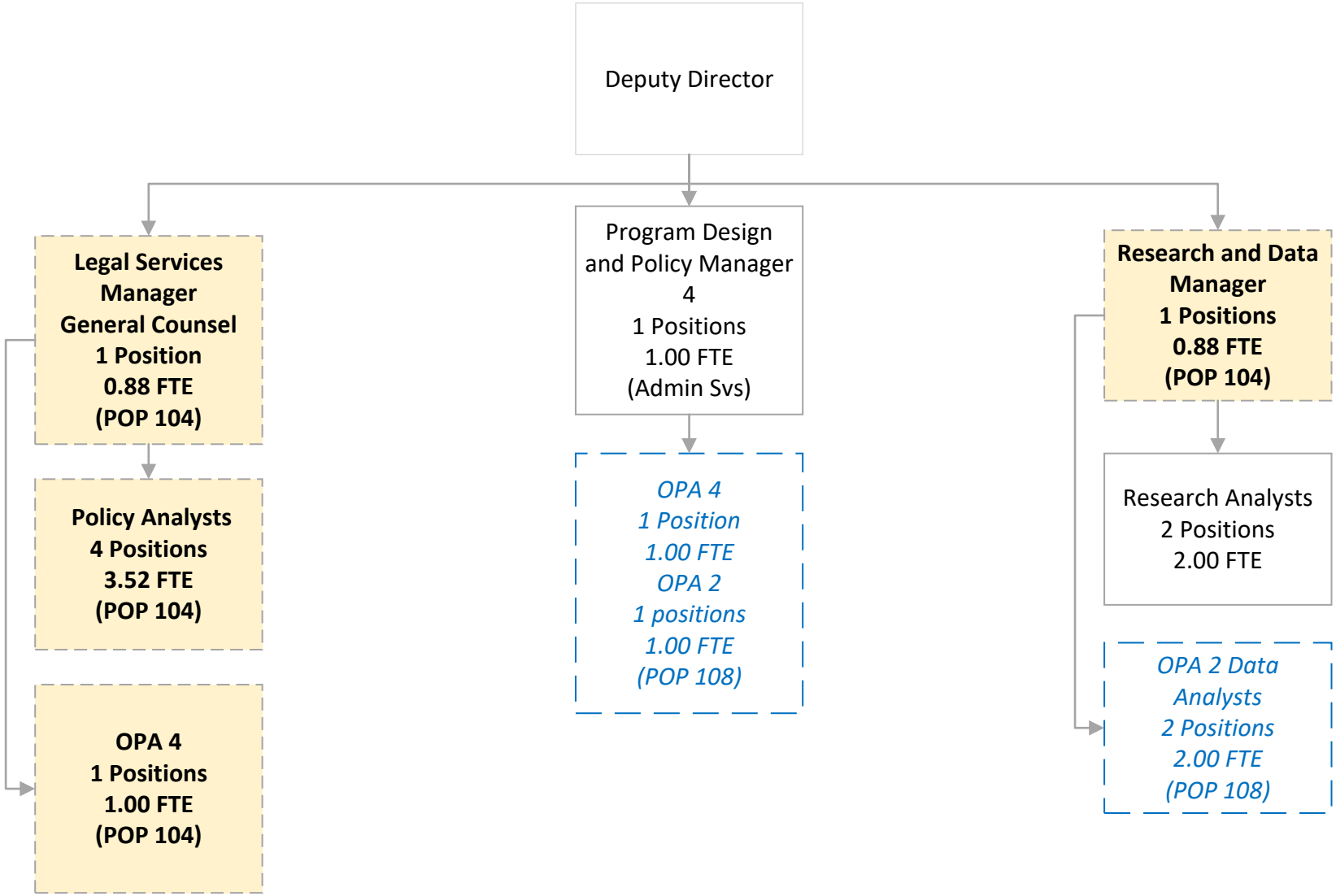
Program Design and Research

Organizational Chart

2023-2025 Agency Request Budget

14 Positions

13.28 FTE



Compliance, Audit, and Performance Division

Essential Packages

The essential packages present budget adjustments needed to bring the legislatively approved budget to current service level (CSL), the calculated cost of continuing legislatively approved programs into the 2023 – 25 biennium. The 2023 – 25 current service level is inclusive and only inclusive of the agency's 2023 – 25 base budget, a close derivative of the 2021 – 23 legislatively approved budget, and the essential packages, as defined in State of Oregon's biennial budget instructions.

Revenue Source

Essential packages in the Compliance, Audit, and Performance Division reduce the agency's General Fund budget by $59,541.

Staffing Impact

There is no staffing impact.

Package No.	Package No. Description	Fund	Amount
010	Non-PICS Personal Services Adjustments (Inflation, Vacancy Savings, etc.)	General	(99,317)
021	Program Phase-in (2021 – 23 Legislatively Adopted Packages)	General	0
022	Program Phase-out (2021 – 23 Program or Expiration of Limited Duration Positions)	General	0
031	Standard Inflation and DAS Budget Instructions Price List Adjustments	General	39,776
032	Above Standard Inflation (Medical or Analyst Approved Inflation)	General	0
033	Exceptional Inflation	General	0

Compliance, Audit, and Performance Division

Essential Packages

Package No.	Package No. Description	Fund	Amount
040	Mandated Caseload	General	0
050	Fund Shifts	General	0
060	Technical Adjustments	General	0
Total 2023 – 2025 Current Service Level Essential Packages		**General**	**(59,541)**
BASE	2023 – 2025 Base Budget	General	5,142,106
2023 – 2025 Current Service Level		**General**	**5,082,565**

Compliance, Audit, and Performance Division

Policy Option Package 104 – Program Design and Research

What would this policy option package do and how would it be implemented? By the Fall of 2024, with the proposed staffing, the agency will produce written policies, procedures, and processes for both the agency and public defense providers to adhere to consistent with legislative directives. The establishment of needed policies and procedures will allow the agency to provide oversight of these functions, increasing agency capacity to support high-quality, zealous legal representation, provide oversight of legal representation for indigent clients, and engage in robust data collection and analysis to inform appropriate procurement methods to contract with public defense providers around the state. These efforts will result in increased leadership, better communication, and more transparency to the agency's work.

Why does the PDSC propose this POP? HB 5030 (2021) directed the Public Defense Services Commission (PDSC) to establish compliance, audit, and performance measures to strengthen the PDSC's program management, performance, and oversight. This legislative directive will enable PDSC to establish and develop the infrastructure to support public defense attorneys, and other entities that work in the public safety system, to provide quality legal representation and related services to financially eligible persons.

A practice-informed and outcome-based model for compliance and oversight will enable the agency to better evaluate and manage the provision of legal representation services to indigent clients and to provide better information to the legislature, providers, and other interested parties. The establishment of compliance, audit, and performance measures will necessitate additional staffing to ensure increased effectiveness of public defense attorneys, entities, and others providing legal representation and related services.

Consistent with the Budget Report for HB 5030, The Office of Public Defense Services (OPDS) established a Trial Division, comprised of Adult Criminal and Juvenile sections, the latter of which includes the Parent Child Representation Program. This division is comprised of Criminal Trial Counsel and Juvenile Trial Counsel and Program Analysts who work collaboratively with each other to ensure the successful delivery of public defense services statewide through the daily interface with the contracted attorneys and other public defense providers, the trial courts, and other stakeholders in the public defense system.

In addition to the Trial Division, which is involved in the day-to-day programming, OPDS proposes to create a division under the direction of the Deputy Director which integrates informed research, program evaluation, and policy development managed under the oversight of a legal Program Manager (1.0 FTE) and a Program Design and Policy Manager. Additional staffing under the Compliance Audit, and performance (CAP) Division will include a Research Manager, a Research Analyst, and several Operation and Policy Analysts (4 FTE).

The CAP Division will work directly with the Trial Division to establish policies and processes, attorney workload models, evaluation tools, and monitoring plans. This initial groundwork is critical to setting the stage for the next phase of quality assurance, optimizing the efficiency and effectiveness of public defense attorneys, increasing the agency's capacity to identify and deliver tools, technical assistance, trainings and other resources to providers, and to identify and develop policies and practices that support quality public defense in Oregon.

The development of the CAP Division will enhance the capacity of the Trial Division to address current deficiencies in the public defense delivery model, increase attorney capacity, and improve the overall efficiency and quality of public defense in this state. Specifically, this division will allow the agency to measure caseloads, workloads, and other metrics to ensure enhanced caseload forecasting, and to establish performance measures and methods for the monitoring compliance with state and national practice standards, client and system outcomes, internal financial controls, and standards applicable to court supported services needed for quality representation.

Together, the Trial Division and the CAP Division will deliver the compliance, audit, and performance measures and program development the legislature contemplated with the reorganization of the agency.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? Adding additional capacity to the agency contributes to the agency's mission by directly supporting public defense attorneys and other entities that work in the public safety system providing legal representation and related services to financially eligible persons. The CAP Division is integral to the core mission of an outcome-based program delivery model that enables the agency to better evaluate and manage the provision of legal representation services to indigent clients and provide better data to inform policy making by the legislature, providers, and other interested parties. Additionally, the disciplines provided by the division will contribute to the success of the Agency's Strategic Plan and other goals. This will support the values and priorities of the PDSC to provide services to ensure public defense attorneys and other providers are adequately supported by the investment made to the communities served by the agency.

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? No. Success of this package will be measured by stabilization of recruitment and retention of public defense attorneys and other providers of services around the state and developing consistent policies and procedures, robust data collection and analysis of data, and a workload model that provides public defense attorneys time to provide quality representation to persons who are financially eligible. Additionally, this new functionality enables the agency to better forecast the projected needs of the public defense system in

Oregon, increase transparency and accountability regarding the public defense services provided, develop greater internal controls related to the costs and quality of public defense services, and provide for transparency through established policies and procedures which will inform rates and enhanced workload model.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No.

What alternatives were considered and what were the reasons for rejecting them? No alternatives were considered. Prior to HB 5030, the agency was a pass-through agency.

What would be the adverse effects of not funding this POP? The agency would continue to be reactive instead of moving to a more proactive approach in managing contracts, data and ensuring quality public defense services to clients. Without the investment of infrastructure, the agency would not have the resources to adequately manage and analyze data and other information regarding public defense to set adequate workloads, attorney-compliance with performance standards, client and system outcomes, manage the capacity and other jurisdictional issues throughout the state. The agency would be limited in the information it could provide to the legislature and other entities requesting information regarding deficiencies in the state's ability to ensure adequate and timely public defense representation.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? None.

What is your equity analysis? Without further investment in the public defense system, finically eligible clients of all backgrounds will continue to be impacted by the high caseloads, insufficient oversight and quality assurance, system-wide inequities and inefficiencies, and minimized capacity in providing quality representation.

What assumptions affect the pricing of this POP? The assumptions affecting the pricing would be based on the implementation of the positions.

Compliance, Audit, and Performance Division

Policy Option Package 104 – Program Design and Research

To provide for the efficient, effective, and equitable delivery of quality public defense services, increased monitoring, transparency, and accountability over the delivery of public defense services, enhanced internal controls, and increased capacity for informed, data-driven policy making both within the agency and in conjunction with legislature and other justice system stakeholders.

To meet the legislative expectations of monitoring the agency's provision of public defense services, PDSC/OPDS will develop policies, procedures and processes related to the delivery of legal representation to those who are financially eligible. These established policies and procedures must be communicated to the public defense community for understanding and adherence. Policy, procedure, and process is the first step in the development of the agency's outcome-based program delivery model. The proposed CAP Division and the additional staffing in this request will allow the agency to produce written policies, procedures and processes for both the agency and public defense providers to adhere to, no later than the Fall of 2024.

The CAP Division will be critical to the development of a framework for measuring and evaluating attorney and entity compliance and performance against state and national performance standards and client and system outcomes. This monitoring and evaluation framework will be the basic structure for how the agency moves forward. The monitoring and evaluation tools will inform the build out of the new financial management system. This will include reporting of provider activities and outcomes related to performance standards and plans for addressing deficiencies through targeted interventions, policy development, and identifying additional resource needs.

The proposed timeline for policy and process aligns with the Financial Services Management (FSM) system timeline as the agency is currently in the early stages of this project. By fall of 2024, the agency will have data reporting requirements in place to begin streamlining the required data reporting from public defense attorneys, entities, and other providers. The collection and analysis of data is instrumental in developing models to aid in workload reduction for public defense attorneys, internal controls, and the monitoring and evaluation of trial-level programs. Collecting timely and relevant data will allow the agency to create stabilized workloads enabling providers to provide quality, efficient, equitable, and timely representation to financially eligible clients, reducing barriers to disadvantaged and underrepresented populations.

Another aspect of this restructuring of the agency that directly impacts the success of the PDSC/OPDS is the retention of public defense attorneys. Standardized pay and stabilizing workloads will support workforce retention by creating a desirable environment for providers to no longer feel they are drowning in cases. As the American Bar Association study on the status of the Oregon public defense system alerted the PDSC in early 2022, the state currently has roughly 1/3 the necessary attorneys to handle the increasing

caseload around the state. Meeting the needs in each jurisdiction around the state can only be achieved by establishing standardized pay scales and stabilizing workloads.

Implementation Date: July 1, 2023.

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** No.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** None have been requested.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** With the development of better data reporting and attorney oversight, the agency intends to move toward a workload model for attorney providers, to better manage the provision of trial level legal representation services and ensure representation for all those entitled to court-appointed counsel at state expense in Oregon. Those individuals are disproportionately comprised of underrepresented and disadvantaged populations. Changes to attorney workloads will result in lowering the total number of cases as well the number of higher-level felony cases that an attorney can be appointed to at any given time. This in turn allows public defense attorneys to provide better, more engaged representation to these affected populations.

Until the work of developing a more robust data reporting system and monitoring and oversight processes is underway, the agency is unable to quantify the outcomes of any workload changes.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** HB 5030 shifted existing infrastructure in the agency including research and data and deputy general counsel positions. This also added additional attorney capacity creating a base infrastructure for the division. The PDSC has evaluated the structure and has determined that there are deficiencies in the structure for leadership, program management, policy and procedure development and external communications to meet the legislature's expectations set forth in HB 5030.

The POP requests the following in the Compliance, Audit, and Performance Division:

Research Manager:

PDSC is requesting a Manager 3 (1 FTE) position to provide supervision, oversight and direction to the research and data team and would report to the deputy director. The Research Manager collaborates with the finance manager, the Trial Division and program managers to identify research needs and data gathering activities that will inform rate tables, workload models, and deficiencies and potential improvements in the delivery of public defense services and outcomes. This position works in partnership with the Chief Information Officer in establishing required interfaces to import and export data sets from the case management system and enhancing data systems and analytic platforms. The Research Manager is responsible for building and fostering collaborative working relationships with other state and local government entities, community partners, and national organizations with respect to the collection, analysis, and reporting of data for purposes of monitoring and evaluating the delivery of public defense services and outcomes. This position also participates in special projects that require data and research expertise.

Operations and Policy Analyst 4:

The PDSC is requesting a limited duration Operations and Policy Analyst 4 position to develop policies and processes to support the development and build-out of the Compliance Audit and Performance Division and implementation of the initial stages of the CAP Program Plan. This position will collaborate with the F/CMS project leaders and the Policy Team to ensure deadlines for policy and process needed for reporting and other CAP goals that intersect with the development of the F/CMS are met.

Legal Program Manager (General Counsel):

PDSC is requesting a Legal Program Manager (or General Counsel) (1 FTE) position to provide legal expertise, leadership, oversight, and program discipline to the Research and Policy Division. This position works collaboratively with the Program Design and Policy Manager, who both receive guidance and direction from the Trial Division, to develop key performance measures based on state and national performance standards, constitutional standards and program requirements. This position works collaboratively with the Trial Division to analyze all pertinent issues and information and to assess the impacts for proposed policies on programming and providing trial level services to eligible indigent persons. This position acts in a management

capacity under the Deputy Director, with direct reports being the Operation and Policy Analysts, who are providing analytical, technical and professional level duties.

Program Management Positions:

PDSC is requesting one Operations and Policy Analyst 4 (1 FTE) and three Operations and Policy Analyst 3 (1 FTE, 2 limited duration) to provide consultive advise to Criminal and Juvenile Trial Chiefs and Deputies on policy issues affecting the quality, cost-effectiveness, and efficiency of public defense delivery practices and policies. Each position serves in a capacity representing an individual program. This advice serves as the basis for proposed policy option packages and legislation, and internal policy, practice, and protocol development, and other programmatic decisions. The policy analyst further assists in the formation of designing and administering uniform and consistent policies, procedures, and protocols. Duties may also include coordinating and participating in workgroups and crafting policy recommendations responsive to new legislation.

PCRP Case Management Administrators:

PDSC is requesting two Program Analyst 4 (2 FTE) permanent positions to provide support to PCRP through the following tasks: (1) consultation and communication with OPDS staff, PCRP attorneys, and other relevant stakeholders to maintain program practices and procedures; (2) wide-ranging assistance to the PCRP/Juvenile program case manager and deputy general counsels to support PRCP implementation, contract management and program evaluation; and (3) support in the production of written evaluations and reports about program performance and needed improvements.

Infrastructure initially allocated to the PCRP program during its pilot-program stages is insufficient and currently impairs OPDS' ability to fulfill its mandate and the expectations of the PCRP. In particular, the current PCRP – Case Manager Administrators is not supported with permanent funding for staffing-levels that match other states with similar high-quality interdisciplinary defense models; nor does OPDS have the permanent funding for infrastructure necessary to create a centralized training program.

Paralegals:

PDSC is requesting two Paralegals (2 FTE) to provide support to the Trial Division, comprised of the Criminal and Juvenile Trial Chiefs and Deputies. As the agency moves toward improved monitoring of its delivery of public defense services, the information

being gathered over the next biennium will continue to increase. The existing programs involve stakeholder and community outreach, thus requiring the participation of Trial Division in a multitude of statewide committees and work groups to address deficiencies in the public defense delivery model as well as supported improvements to the model. These positions will provide the day-to-day support to the program managers and coordinate all internal and external activities, provide support to committees and work groups, along with data entry support to the FCMS system to ensure a holistic approach to inclusive information gathering. These positions will provide a bridge between government entities and providers to share and exchange information.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** Normal cost associated with new employees.

f. **What are the ongoing costs?** If this package is adopted and included in the PDSC 2025-27 base budget, the total cost in Executive, CAP and Administrative Services Divisions would be $3,640,341.

g. **What are the potential savings?** None.

Compliance, Audit, and Performance Division

Policy Option Package 108 – Limited Duration Positions to Permanent Positions

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What would this policy option package do and how would it be implemented? This package is to provide stability by making limited durations permanent to address deficiencies in the administration of OPDS. All positions have been filled through open-competitive recruitments and have demonstrated a permanent need addressing capacity within the agency's infrastructure.

Why does the PDSC propose this POP? PDSC is proposing a package that provides stabilization to the workforce with a net zero impact. The agency recommends taking the limited duration positions allocated under HB 5030 from the 2021 regular session and provide permanency. Each of the positions are outlined below.

The agency lacks sufficient infrastructure support in operations of the agency. The investment of appropriate resources is necessary in the agency making the transition from being a pass-through agency to becoming a regulatory agency, advancing modernization efforts.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? This package aligns with the mission of PDSC by addressing capacity and deficiency issues that directly or indirectly support the delivery of services to ensure right to representation of clients is advanced.

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? No. The agency continues to demonstrate the success of these positions by the improvements made in the support of employees and delivery of services that aligns with legislative expectations.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No.

What alternatives were considered and what were the reasons for rejecting them? Historically, the agency, under Judicial Branch authority, has created administrative positions to address the ongoing deficiencies in the agency outside of the standard budgetary process. While this is not optimal, it has demonstrated an ongoing need of investment in the infrastructure to support the needs of the agency, the provider community, and clients.

For the agency to continue to create new positions administratively outside the budget process does not provide the needed credibility from the legislature. The agency desires transparency and support by the legislature. Therefore, the agency has rejected alternatives that could solve ongoing capacity issues administratively because the agency wants the support from the legislature in growing the agency to a mature operating system within state government, that delivers services to indigent Oregonians.

What would be the adverse effects of not funding this POP? By not funding a position for provider contracting, the agency will be hindered in its ability to execute timely contracts with providers that provide services directly to clients. This would be a direct impact to the client population, as there are already deficiencies in the system where there is not enough representation available for the client population. These positions work directly with providers in assignment of cases. Without this resource, it minimizes the agency capacity to provide these services in a timely manner.

By not funding the Human Resources Analyst 2 positions, this would eliminate the ability to provide the daily support to employees and managers in adherence to state and federal laws. This could result in unfair labor practices, grievances, and violations of employment law. This work is necessary to ensure employees receive statutorily required services protecting employee property rights.

By not funding the policy analyst positions, the agency would not have capacity for policy development or legislative support, which could result in not meeting legislative expectations and putting liability on the agency by not having documented policies that support delivery of services. Without the legislative support the agency will be lacking the resources necessary to respond to new legislative concepts, track legislation that has a direct impact on the system and the agency, nor able to provide adequate response to fiscal impacts.

By not funding the data analyst positions, the agency would not have capacity to collect and analyze data to inform modeling and reporting to the legislature. This would also be a hinderance to the Finance Case Management System project in identify data sets needed to build the system to provide informed data. As the agency builds creditability with the legislature and stakeholders, the need for informed data analysis is critical to the transparency of the agency in moving forward.

The request for these positions is to continue at the current service level without any further financial impact, keeping the agency whole. By not funding these positions the agency would regress in its ability to continue its modernization efforts. The agency would be as risk for potential litigation and transparency to the legislature.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? None

What is your equity analysis? This package helps provide stability within the administration of the agency. Without this infrastructure, the agency could potential hinder populations impacted because there is not optimal support needed to provide services internally, nor providing delivery service externally that will directly impact the client.

What assumptions affect the pricing of this POP?

Implementation Date(s): July 1, 2023.

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** None.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** None.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** None.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** No.

The POP requests the following in the Compliance, Audit, and Performance Division:

Research and Data

Over the last several years, the agency has seen the value in collecting data from many sources to provide information to the Commission, stakeholders, and legislators regarding how pass-through funds are being used within the system. This helps better inform policy decision. However, the agency has not enjoyed the infrastructure to support these needs.

In the 2021 regular legislative session, the agency received two new limited duration Operation and Policy Analyst 2 positions to collect, and provider reported data and analyze this data for reporting purposes. Give the agency's limitations on having an information technology system to house this information, it has limited the agency's ability to have a centralize repository for the collection of data. With the support and funding granted to begin the Financial Case Management system project, this has demonstrated there will be an ongoing need for support in facilitate data analysis moving forward.

These positions would be utilized to assist in the current backlog of provider reported data, ongoing data management, low level analysis of provider outcomes data, as well as low level system support of the planned Financial and Case Management System.

The agency is requesting the 2 FTE Operations and Policy Analyst 2 be made permanent.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** None

f. **What are the ongoing costs? PS & S&S** If this package is adopted and included in the PDSC 2025-27 base budget, the total cost in Executive, CAP and Administrative Services Division would be $2,085,123.

g. **What are the potential savings?** None.

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Compliance, Audit and Performance Division**

Pkg: 010 - Vacancy Factor and Non-ORPICS Personal Services | **NOT AUDITED** | **Cross Reference Number: 40400-200-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	(99,317)	-	-	-	-	-	(99,317)
Total Revenues	**($99,317)**	**-**	**-**	**-**	**-**	**-**	**($99,317)**
Personal Services							
All Other Differential	(199,078)	-	-	-	-	-	(199,078)
Public Employees' Retire Cont	(35,675)	-	-	-	-	-	(35,675)
Pension Obligation Bond	136,742	-	-	-	-	-	136,742
Social Security Taxes	(15,229)	-	-	-	-	-	(15,229)
Paid Family Medical Leave Insurance	(796)	-	-	-	-	-	(796)
Mass Transit Tax	14,719	-	-	-	-	-	14,719
Vacancy Savings	-	-	-	-	-	-	-
Total Personal Services	**($99,317)**	**-**	**-**	**-**	**-**	**-**	**($99,317)**
Total Expenditures							
Total Expenditures	(99,317)	-	-	-	-	-	(99,317)
Total Expenditures	**($99,317)**	**-**	**-**	**-**	**-**	**-**	**($99,317)**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Compliance, Audit and Performance Division**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-200-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Beginning Balance							
Beginning Balance	-	-	-	-	-	-	-
Total Beginning Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Revenues							
General Fund Appropriation	39,776	-	-	-	-	-	39,776
Employment Taxes	-	-	-	-	-	-	-
Total Revenues	**$39,776**	**-**	**-**	**-**	**-**	**-**	**$39,776**
Services & Supplies							
Instate Travel	324	-	-	-	-	-	324
Out of State Travel	-	-	-	-	-	-	-
Employee Training	1,207	-	-	-	-	-	1,207
Publicity and Publications	45	-	-	-	-	-	45
Professional Services	34,296	-	-	-	-	-	34,296
IT Professional Services	3,366	-	-	-	-	-	3,366
Dues and Subscriptions	70	-	-	-	-	-	70
Expendable Prop 250 - 5000	468	-	-	-	-	-	468
Total Services & Supplies	**$39,776**	**-**	**-**	**-**	**-**	**-**	**$39,776**
Total Expenditures							
Total Expenditures	39,776	-	-	-	-	-	39,776
Total Expenditures	**$39,776**	**-**	**-**	**-**	**-**	**-**	**$39,776**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Compliance, Audit and Performance Division**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-200-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Compliance, Audit and Performance Division**

Pkg: 104 - Program Design and Research | **NOT AUDITED** | **Cross Reference Number: 40400-200-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	2,576,363	-	-	-	-	-	2,576,363
Total Revenues	**$2,576,363**	**-**	**-**	**-**	**-**	**-**	**$2,576,363**
Personal Services							
Class/Unclass Sal. and Per Diem	1,646,124	-	-	-	-	-	1,646,124
All Other Differential	-	-	-	-	-	-	-
Empl. Rel. Bd. Assessments	513	-	-	-	-	-	513
Public Employees' Retire Cont	294,986	-	-	-	-	-	294,986
Social Security Taxes	125,928	-	-	-	-	-	125,928
Paid Family Medical Leave Insurance	6,586	-	-	-	-	-	6,586
Worker's Comp. Assess. (WCD)	446	-	-	-	-	-	446
Mass Transit Tax	8,754	-	-	-	-	-	8,754
Flexible Benefits	392,886	-	-	-	-	-	392,886
Total Personal Services	**$2,476,223**	**-**	**-**	**-**	**-**	**-**	**$2,476,223**
Services & Supplies							
Instate Travel	5,210	-	-	-	-	-	5,210
Employee Training	23,490	-	-	-	-	-	23,490
Publicity and Publications	810	-	-	-	-	-	810
Professional Services	30,910	-	-	-	-	-	30,910
IT Professional Services	29,750	-	-	-	-	-	29,750
Dues and Subscriptions	1,310	-	-	-	-	-	1,310

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Compliance, Audit and Performance Division**

Pkg: 104 - Program Design and Research | **NOT AUDITED** | **Cross Reference Number: 40400-200-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Expendable Prop 250 - 5000	8,660	-	-	-	-	-	8,660
Total Services & Supplies	**$100,140**	**-**	**-**	**-**	**-**	**-**	**$100,140**
Total Expenditures							
Total Expenditures	2,576,363	-	-	-	-	-	2,576,363
Total Expenditures	**$2,576,363**	**-**	**-**	**-**	**-**	**-**	**$2,576,363**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Positions							
Total Positions							11
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**11**
Total FTE							
Total FTE							9.80
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**9.80**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Compliance, Audit and Performance Division**

Pkg: 108 - Limited Duration Positions | **NOT AUDITED** | **Cross Reference Number: 40400-200-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	479,016	-	-	-	-	-	479,016
Total Revenues	**$479,016**	**-**	**-**	**-**	**-**	**-**	**$479,016**
Personal Services							
Class/Unclass Sal. and Per Diem	316,128	-	-	-	-	-	316,128
Empl. Rel. Bd. Assessments	106	-	-	-	-	-	106
Public Employees' Retire Cont	56,650	-	-	-	-	-	56,650
Social Security Taxes	24,184	-	-	-	-	-	24,184
Paid Family Medical Leave Insurance	1,264	-	-	-	-	-	1,264
Worker's Comp. Assess. (WCD)	92	-	-	-	-	-	92
Flexible Benefits	80,592	-	-	-	-	-	80,592
Total Personal Services	**$479,016**	**-**	**-**	**-**	**-**	**-**	**$479,016**
Total Expenditures							
Total Expenditures	479,016	-	-	-	-	-	479,016
Total Expenditures	**$479,016**	**-**	**-**	**-**	**-**	**-**	**$479,016**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Compliance, Audit and Performance Division**

Pkg: 108 - Limited Duration Positions | **NOT AUDITED** | **Cross Reference Number: 40400-200-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Total Positions							
Total Positions							2
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**2**
Total FTE							
Total FTE							2.00
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**2.00**

Appellate Division

Executive Summary

Division	LAB/ACT	2019-21	2021-23	2023-25 (ARB)	2025-27	2027-29
Appellate	LAB	22,553,674	26,068,312	24,632,983	26,110,962	27,677,620
	Actuals	19,023,403				

Program Overview

The Appellate Division provides constitutionally and statutorily mandated representation to financially eligible individuals in criminal, parole, juvenile delinquency, juvenile dependency, and termination of parental rights cases on appeal or judicial review. We provide this service through direct representation by attorney professionals and legal support staff employed by OPDS in the Criminal Appellate Section and the Juvenile Appellate Section.

Long Term Focus Areas

Excellent Appellate Representation for Individual Clients

Primary Program Contact

Ernest Lannet, Criminal Appellate Section Chief Defender

Appellate Division

Executive Summary

Program Funding Request

Appellate	GF	OF	TF	POS	FTE
LAB 21-23	26,068,312		26,068,312	58	57.38
CSL 23-25	25,992,983		25,992,983	58	57.80
ARB 23-25	24,632,983		24,632,983	58	57.80
GB 23-25					
LAB 23-25					
Difference	(1,435,329)		(1,435,329)	-	0.42
Pct Change	-5.5%		-5.5%	0.0%	0.7%

Program Description

The Appellate Division employs agency personnel, and it is the defense counterpart to the Appellate Division of the Oregon Department of Justice. The centralization of court-appointed direct appeals in one office establishes an institutional defense entity in the appellate court system, promotes the consistent and rational development of law, and facilitates the identification and implementation of system-wide efficiencies. Examples of the practical impact of the Appellate Division's role in the Oregon criminal justice system include spearheading the litigation upholding the constitutionality of House Bill 3078 (2017), in *State v. Vallin*, 365 Or 295, 434 P3d 413, *adh'd to as modified on recons*, 364 Or 573, 437 P3d 231 (2019), and coordinating the impact on hundreds of cases on direct appeal by the United States Supreme Court's decision in *Ramos v. Louisiana*, 140 S Ct 1390, 206 L Ed 2d 583 (2020) (holding that guilty verdicts for serious crimes must be unanimous). An example of the practical impacts of the Appellate Division's litigation on the child welfare system are the Oregon Supreme Court's opinions in *Dept. of Human Services v. P.D.*, 368 Or 627, 496 P3d 1029 (2021) and *Dept. of Human Services v. J.S.*, 368 Or 516, 495 P3d 1245 (2021), which clarified under what circumstances and what limitations of authority exist when a juvenile court takes temporary emergency jurisdiction over children from another state who are temporarily in Oregon, and in *Dept. of Human Services v. T.M.D.*, 365 Or 143, 442 P3d 1100 (2019), which held that a juvenile court may not terminate a child's parent's parental rights unless it is in the child's best interests to do so.

The Appellate Division provides statutorily and constitutionally mandated legal representation to financially eligible persons in a wide variety of case types initiated throughout the state. For example, whenever a state circuit court enters a judgment of conviction after the criminal prosecution of a defendant, the circuit court must inform the defendant of their right to appeal from the judgment to the

Oregon Court of Appeals. ORS 137.020(5)(a). If the defendant was financially eligible for court-appointed counsel at trial, trial counsel must ascertain whether the defendant wishes to pursue an appeal and, if so, must transmit to OPDS the information necessary to perfect the appeal. ORS 137.020(6). Counsel fails to provide constitutionally adequate assistance of counsel if they do not initiate an appeal upon the client's request. *Garza v. Idaho*, 139 S Ct 738, 203 L Ed 2d 77 (2019). Even if the defendant retained counsel at trial, the state must provide a defendant with appellate representation if the defendant no longer has funds to employ suitable counsel possessing skills and experience commensurate with the nature and complexity of the case for the appeal. ORS 138.500(1). Similar statutes provide for the representation of a person who seeks judicial review of a final order of the Board of Parole and Post-Prison Supervision and a parent who wishes to appeal from an appealable order or judgment in a juvenile dependency or termination of parental rights case. These services are provided through staff attorneys in the Appellate Division. Representation is primarily in the Oregon Court of Appeals and the Oregon Supreme Court, although the Division occasionally appears in the United States Supreme Court. The Appellate Division has two sections: the Criminal Appellate Section, which represents criminal defendants in appeals such as described above, and the Juvenile Appellate Section, which represents financially eligible parents in appeals from adverse judgments and orders in juvenile dependency and termination of parental rights proceedings. Each section is led by a Chief Defender. The sections also serve as a resource for trial-level counsel.

The Appellate Division has 59 employees, and its workload is driven by the number of criminal cases, parole board decisions, juvenile dependency cases, and termination of parental rights cases referred for appeal; the factual and legal complexity of the appealed cases; and statutory changes, ballot initiatives, and United States and Oregon appellate court decisions. The Division must provide appellate representation in all cases in which a financially eligible individual requests review of an appealable judgment or order because the right to appeal is largely unqualified.

Criminal Appellate Section (CAS)

CAS provides appellate representation to criminal defendants in misdemeanor and felony appeals (including capital cases), contempt cases, DNA-testing-related appeals, and appeals by crime victims. The section also represents AIC (adults in custody) or adults on supervision seeking judicial review of final orders by the Board of Parole and Post-Prison Supervision. The right to appeal from appealable judgments or orders is a matter of right and largely unqualified.

Juvenile Appellate Section (JAS)

JAS provides appellate representation to parents in juvenile dependency cases (including jurisdiction and permanency decisions) and termination of parental rights cases. It occasionally provides appellate representation to parents and youth in juvenile delinquency cases. The right to appeal from appealable judgments or orders is a matter of right and largely unqualified.

Attorneys in the Juvenile Appellate Section cannot maintain cases on a backlog because the cases are expedited; any case referred after the attorney's monthly case assignment capacity has been met must be sent to a limited pool of qualified outside providers. The pool is limited because the practice is highly specialized. Per biennium, the section's case referrals have increased from 500 in the 2011-13 biennium, 556 in 2013-15, 622 in 2015-17, 678 in 2017-19; and 677 in 2019-21. Probably due to the greater availability of remote appearances in non-criminal matters, and the continued development of the law precipitated by JAS litigation, referrals to the Juvenile Appellate Section have not decreased during the COVID-19 pandemic. Case referrals for 2021-23 are projected to again exceed 650.

Summary of Description of Attorney Positions

Criminal Appellate Section

- **Chief Defender** – The Chief Defender for the Criminal Appellate Section is responsible for managing the section. The responsibilities include recruiting and training new attorney employees and directly supervising the section's litigation in the Oregon Supreme Court and the United States Supreme Court. The Chief Defender of the Criminal Appellate Section has a minimal caseload that emphasizes practice in the Oregon Supreme Court. The Chief Defender also oversees the section's litigation in the Oregon Court of Appeals.

- **Chief Deputy Defender** – Three Chief Deputies support the Chief Defender of the Criminal Section in managing the section. Each Chief Deputy carries a reduced caseload and is responsible for a discrete management area: office development, operations, and outreach.

- **Deputy Defender** – The remaining attorney classifications are Senior Deputy Defender and Deputy Public Defender.

— A **Senior Deputy Defender** either provides representation in a full caseload of moderate to complex felony and parole cases or carries a reduced caseload of complex cases and serves as the leader of a team of five to seven attorneys in the Criminal Appellate Section who meet weekly. The seniors who serve as team leaders moderate team discussions, serve as a resource for attorneys outside the team meeting setting, and edit team members' Court of Appeals briefs.

— The **Deputy Public Defender** is the entry-level attorney position and provides representation in misdemeanor, simple felony, and parole cases.

Juvenile Appellate Section

■ **Chief Defender** – The Chief Defender for the Juvenile Appellate Section is responsible for managing the section. The responsibilities include recruiting and training new attorney employees and directly supervising the section's litigation in the Court of Appeals and the Oregon Supreme Court. The Chief Defender of the Juvenile Appellate Section has a minimal caseload and litigates cases on behalf of the section in Oregon Court of Appeals and the Oregon Supreme Court. The Chief Defender also participates in all team meetings, serves as a resource for attorneys outside the team meeting setting, and provides substantive edits for all the section's Supreme Court briefs and for Court of Appeals briefs when the issue is novel or involves a high-impact issue.

■ **Deputy Defender** – The remaining attorney classifications in the Juvenile Appellate Section are Senior Deputy Defender and Deputy Public Defender.

— A **Senior Deputy Defender** has several years' experience and provides representation in moderate to complex juvenile dependency and termination of parental rights cases. Senior Deputy Defenders may serve as the leader of one of two teams of attorneys in the Juvenile Appellate Section who meet weekly. The seniors who serve as team leaders moderate team discussions, serve as a resource for attorneys outside of the team meetings, and edit team members' briefs.

— The **Deputy Public Defender** is the entry-level attorney position and provides representation in simple and moderately complex juvenile dependency and termination of parental rights cases.

Program Justification and Link to Long Term Outcomes

The Appellate Division is an essential component to the agency's provision of quality public defense services throughout the state. Criminal and juvenile justice are specialized areas of law requiring particular knowledge, experience, and training. Appellate practice, too, is a specialized area of law subject to numerous procedural rules and substantive law not encountered outside of an appellate case. Consequently, the division invests substantial time in its initial training of attorneys, e.g., months under the close direction and supervision of a managing attorney; and at least six months under the close direction and supervision of a senior deputy attorney. A newly hired deputy defender may not be promoted to a senior deputy defender for three to five years, if not longer. Apart from working in the Oregon Department of Justice or a counterpart appellate agency in another state, there are few places where an attorney can obtain comparable training to effectively litigate a full caseload of appeals before the Oregon appellate courts.

Program Performance

Case Assignments and Production Levels

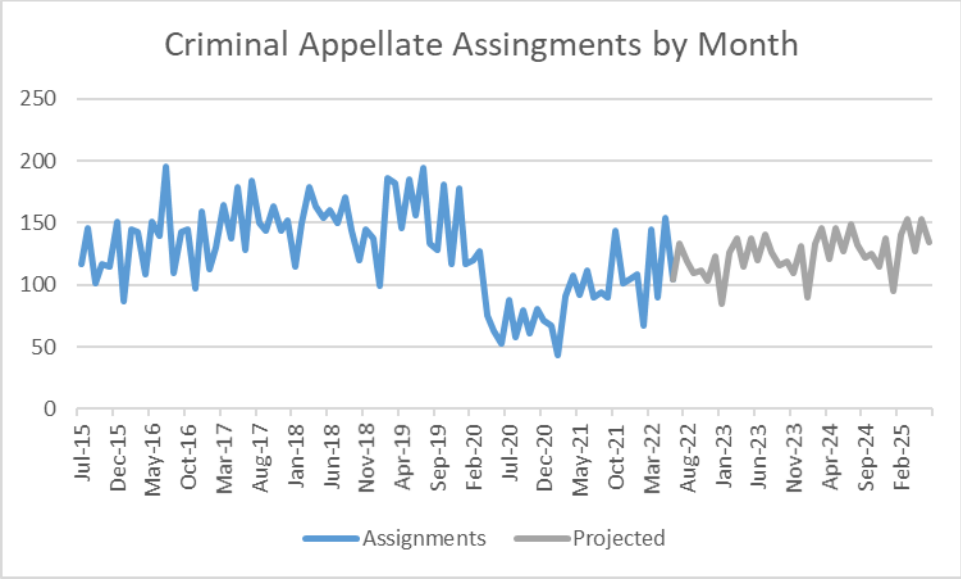
Criminal Appellate Section – For case weighting purposes, the section identifies two primary case categories: 1) the trial-type case and 2) the plea-type case.

A trial-type case includes jury trials, trials to the court, conditional pleas, parole appeals, appeals involving requests for DNA testing, appeals initiated by the Attorney General, mandamus actions, and appeals initiated by crime victims. The transcript length for trial-type cases may ranges from under 50 pages to several thousand pages.

A plea-type case refers to guilty pleas, no-contest pleas, probation violation hearings, and re-sentencing proceedings. Transcript length typically ranges from 20 to 80 pages for plea-type cases.

Additionally, it is not uncommon for the section to receive multiple case referrals for a single client who wants to appeal from several cases of the same type or of different types. The section counts each case as a separate referral and as a separate case assignment. After case assignment, those cases are typically consolidated into a single case on appeal to measure case completion and case workload. In that manner, approximately 15 percent of cases referred are consolidated into another case on appeal.

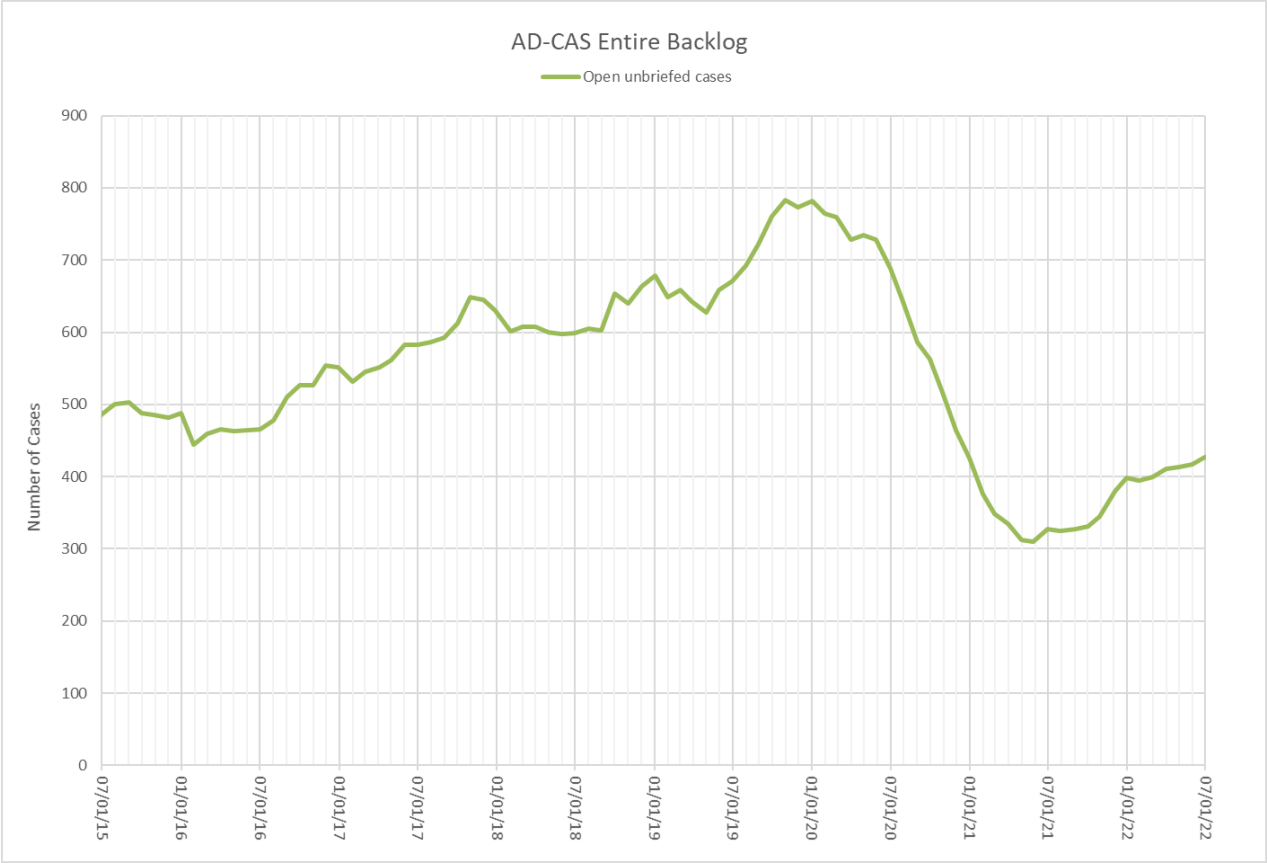
CAS historically receives more than 3,500 case referrals per biennium: 3,600 cases in the 2011-13 biennium; 3,767 cases in 2015-17; and 3,647 in 2017-19. Circuit court shutdowns or slowdowns since March 2020 due to the COVID-19 pandemic decreased the number of cases referred in 2019-21 to 2,381. The section received 1,307 case referrals in the first year of the 2021-23 biennium. The temporary reduction in case referrals has allowed the section's attorneys to reduce the historical backlog of cases, which had many clients waiting more than seven months (210 days) for an attorney to begin work on their case after the record has been settled. The section anticipates case referrals will increase to historical levels as circuit courts resume full operation.



Criminal Appellate Section attorneys are assigned a significant number of cases and complete a significant annual workload. According to the Institute for Law and Justice, the annual appellate public defender workload ranges from 25-50 cases per attorney. Institute for Law and Justice, Compendium of Standards for Indigent Defense Systems (2000). Indiana recommends appellate caseloads do not exceed more than 25 cases per attorney per year for appeals in trial-type cases, or 50 cases per attorney per year for appeals in plea-type cases. Indiana Public Defender Commission, Standards for Indigent Defense Services in Non-Capital Cases, 16 (2016). Texas sets maximum appellate caseloads that vary with transcript length, but which equal an average of 31.2 cases per attorney per year. Tex Admin Code § 174.21 (2018); Texas Indigent Defense Commission, Appellate Addendum: Guidelines for Indigent Defense Caseloads, 16 (2016). The State of Washington sets the maximum appellate caseload at 36 cases per attorney per year. Washington Supreme Court, CrR 3.1 Standards for Indigent Defense, Standard 3.4 (2015).

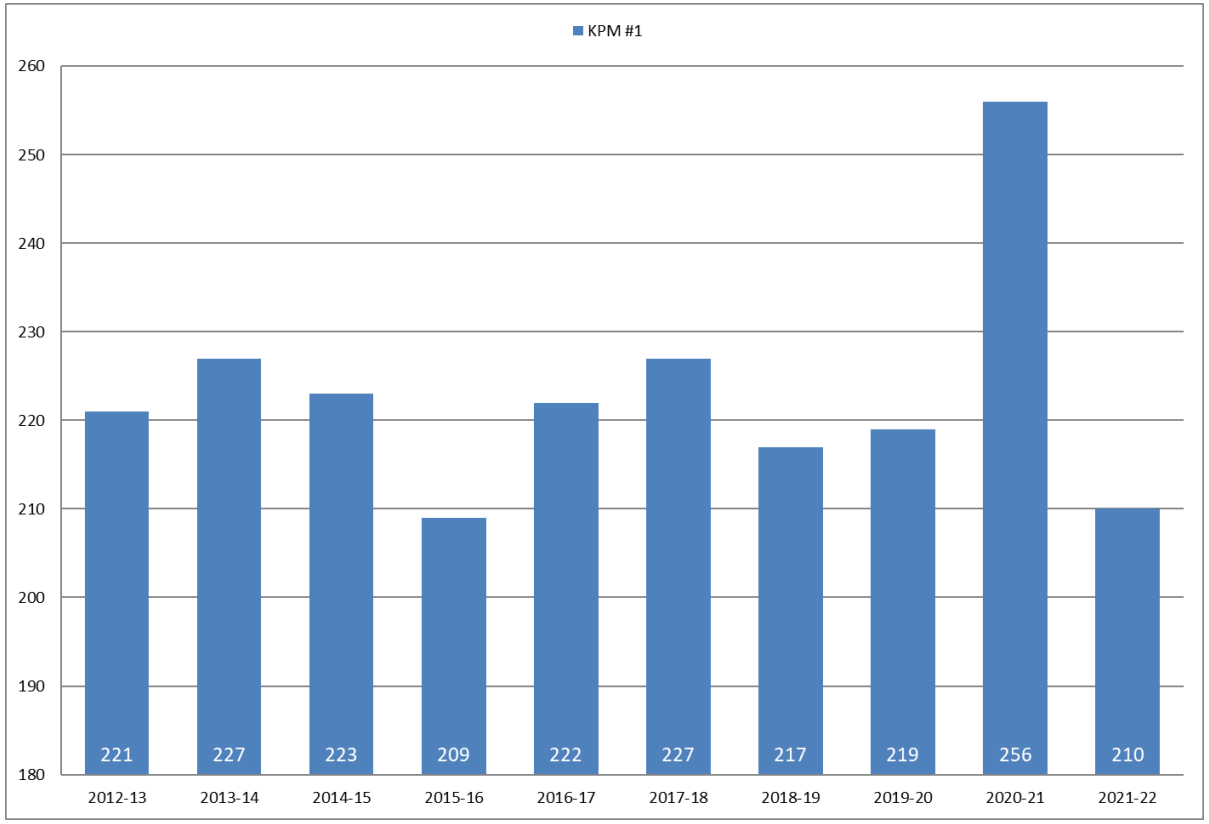
A non-management Criminal Appellate Section attorney historically is assigned approximately 55 cases per year and the average annual workload or case completion of a non-management Criminal Appellate Section attorney is approximately 35 case per year. During the last two years (during the COVID pandemic), annual case assignments have been closer to 30 cases per year. CAS has

been able to reduce its backlog from nearly 800 open unbriefed cases in January 2020 to just over 425 cases as of the end of June 2022.



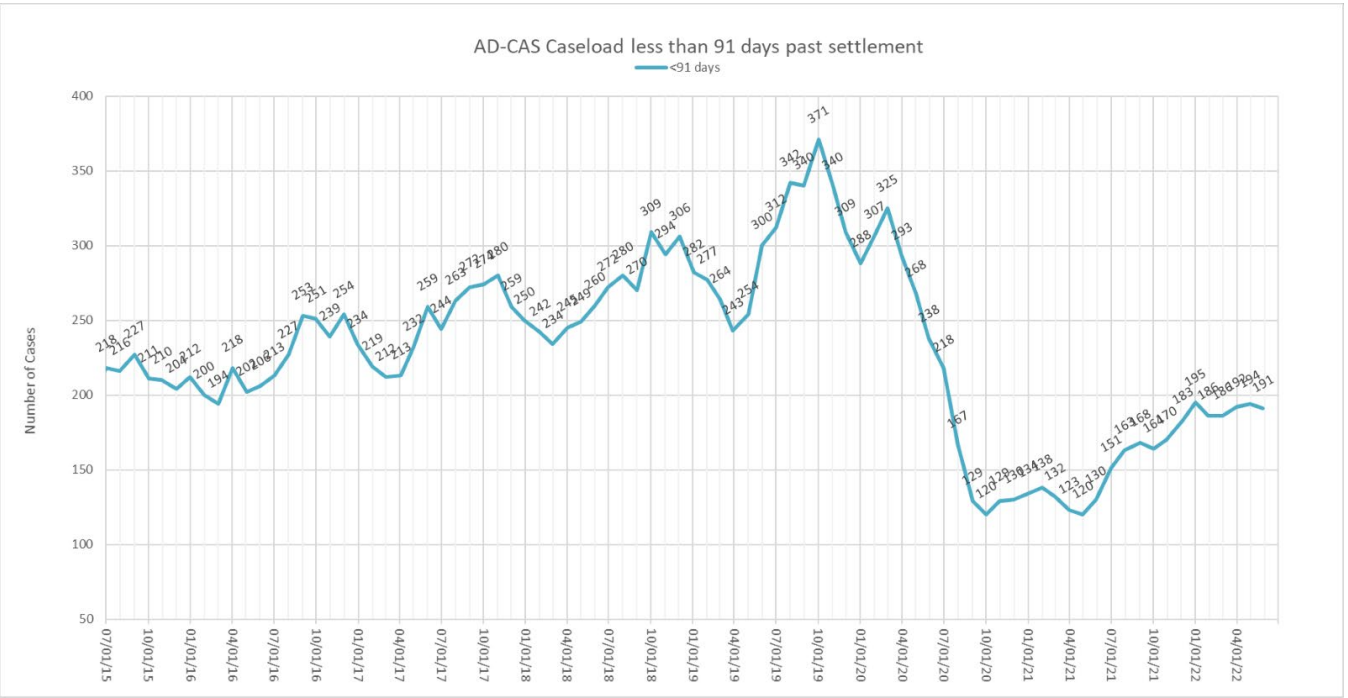
The number of cases in which an appeal is requested is out of the agency's control. The number of cases resolved is a function of the number of Appellate Division attorneys. The Appellate Division's only approved key performance measure (KPM #1 APPELLATE CASE PROCESSING) measures the median number of days past record settlement that the attorneys in the Criminal Appellate Section need

before filing the opening brief. The 180-day target reflects the agency's consideration that it is intolerable that an individual would have to wait more than six months before an appellate attorney is in a position to properly advise a client regarding the viability of an appeal challenge to their conviction and/or sentence. Although the median filing date rose sharply to 256 days during the 2020-21 fiscal year (FY21), the elimination of the backlog and temporary reduction in case referrals has resulted in a median filing date of 210 days during the 2021-22 fiscal year (FY22).



Because the Appellate Division of the Department of Justice routinely take a similar amount of time to file an answering brief, meeting or exceeding the KPM would result in cases being submitted to the appellate courts within a year of the entry of the judgment of

conviction and imposition of sentence. Currently, it routinely takes longer than one year between the filing of the notice of appeal and the submission of the case for the appellate court's ruling. Attorneys in the Criminal Appellate Section process cases primarily on a FIFO (first in, first out) basis. Consequently, the attorneys are working on their oldest cases, those cases that are often already 150 days or more past record settlement. The number of cases between 1 and 90 days past settlement represent the cases that CAS attorneys will be reviewing two to five months later. The average number of cases between 1 and 90 days past settlement sharply decreased beginning in April 2020 but has steadily risen since May 2021.



Juvenile Appellate Section – At the end of the 2007 session, the Legislature funded the creation the Juvenile Appellate Section in the Appellate Division. The unit is intended to centralize and enhance appellate representation for parents in juvenile dependency and

termination of parental rights cases, act as a resource to the trial bar, and promote a more consistent state-wide application of the juvenile code through published appellate opinions.

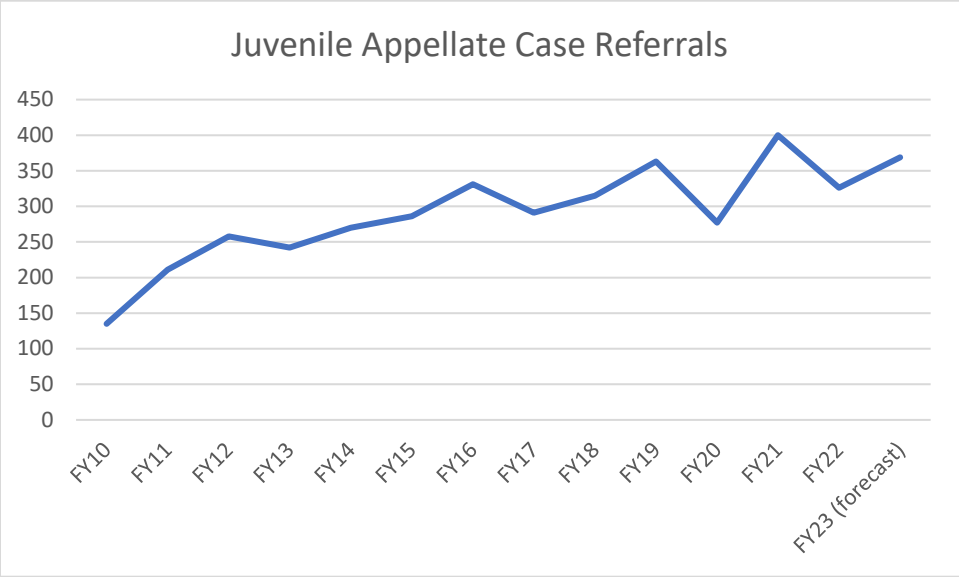
As with their counterparts in the Criminal Appellate Section, Juvenile Appellate Section attorneys are assigned a significant annual workload. The average annual caseload for a non-management full-time Juvenile Appellate Section attorney is currently 41 case assignments per year. It is not uncommon for the section to receive multiple case referrals for a single parent client who wants to appeal from each of their several children's cases. The section counts each child's case as a separate referral and as a separate case assignment. After case assignment, those cases are typically consolidated into a single case on appeal to measure case completion and case workload (*i.e*. the number of briefs filed). The number of briefs filed by the Juvenile Appellate Section in fiscal year ending June 30, 2021, is 97, which includes 3 briefs on the merits in the Supreme Court. The number of briefs filed by the Juvenile Appellate Section in the fiscal year ending June 30, 2022, is 126, which includes 3 briefs on the merits in the Supreme Court.

Dependency cases involve appeals from juvenile court judgments asserting jurisdiction over a child or changing a child's permanency plan away from reunification with their family. The transcript length in dependency cases typically ranges from 100 to 800 pages and often includes numerous documentary exhibits. Termination of parental rights cases involve appeals from juvenile court judgments terminating the parent's parental rights to their child or from an order denying the parent's motion to set aside such judgment (when, for example, the parent was tried in absentia and the judgment was entered in the parent's absence). The transcript length in termination of parental rights cases involving an appeal from the termination judgment typically ranges from 500 to 1200 pages and often includes hundreds, if not thousands, of pages of documentary exhibits. The transcript length in termination of parental rights cases involving an appeal from an order denying a parent's motion to set aside the termination judgment typically ranges from 50 to 200 pages.

Dependency and termination of parental rights appeals are expedited. ORAP 10.15. Consequently, the Juvenile Appellate Section never has a backlog.

The section represents parents in the majority of the dependency cases on appeal. It retains the cases it can resolve within the established timelines. Cases that cannot be kept in-house due to conflict or capacity are sent to a panel of appellate attorneys approved by the agency or to a defense provider pursuant to contract.

Case referrals have risen from 156 during the fiscal year ending 2010 to 429 during the fiscal year ending 2021.



Case referrals have been increasing over time but as there has not been a commensurate increase in internal capacity, the percentage of referred cases kept in-house has been declining. There were 243 referrals during the fiscal year ending 2011 (with JAS retaining 70% of referred cases). For fiscal year ending 2021, there were 429 referrals (with JAS retaining 58% of referred cases).

Enabling Legislation

A criminal defendant's right to court-appointed counsel on appeal, which includes the right to adequate and effective appellate counsel, is guaranteed by Article I, section 11, of the Oregon Constitution and the Sixth and Fourteenth Amendments to the United States Constitution, as well as statutorily mandated by ORS 138.500 (right to court-appointed counsel for "a defendant in a criminal action" who "wishes to appeal from an appealable adverse final order or judgment of a circuit court"). Other statutes provide the right to court-appointed in other proceedings. ORS 33.055(8), 33.065(6), and 33.125(2) (appeal from judgment of contempt that imposes remedial or punitive sanctions); ORS 138.697(4) (appeal from final order or judgment denying or limiting DNA testing under ORS 138.694 or denying a motion for a new trial under ORS 138.696); ORS 144.337(1) (judicial review from final decision of the Board of Parole and Post-Prison Supervision); ORS 161.327(6) (appeal from order placing a person found guilty except for insanity under the jurisdiction of

the Psychiatric Security Review Board). The Oregon appellate courts also have discretion to appoint an attorney to someone with means to retain an attorney and "who is deprived of liberty by a judgment" "in a proceeding before it to test the validity of that judgment." ORS 138.480.

ORS 419A.200(1) guarantees parents the right to appeal from the juvenile court's dependency and termination of parental rights judgments. ORS 419B.518(1) guarantees financially eligible parents the right to court appointed counsel to defend against the state in termination of parental rights proceedings. In most cases, that right is also guaranteed by the Due Process Clause process of the Fourteenth Amendment to the United States Constitution. Under Oregon case law, that right includes the right to adequate counsel. *See State ex rel. Juv. Dept. v. Geist*, 310 Or 176, 185-87, 796 P2d 1193 (1900) (parent entitled to raise an unpreserved claim of inadequate assistance of TPR trial counsel on direct appeal). ORS 419B.205(1) guarantees financially eligible parents to right to court-appointed counsel to defend against the state in juvenile dependency cases "whenever the nature of the proceedings and due process require." Under Oregon case law, that right also includes the right to adequate counsel. *See Dept. of Human Services v. T.L.*, 358 Or 679, 369 P3d 1159) (parent entitled to raise an unpreserved claim of inadequate assistance of permanency hearing counsel on direct appeal). ORS 419A.200(4) guarantees appellate counsel to financially qualified parents who elect to exercise their ORS 419A.200(1) right to appeal from the juvenile court's judgments or orders.

A youth's right to court-appointed counsel on appeal from a juvenile delinquency proceeding, which includes the right to adequate and effective appellate counsel, is guaranteed by the Due Process Clause of the Fourteenth Amendment to the United States Constitution and is statutorily mandated by ORS 419C.200(a).

Funding Streams

The Appellate Division is supported by General Fund.

Funding Justification and Changes to CSL

The 2023-25 funding proposal advanced by the agency maintains the program at current service level.

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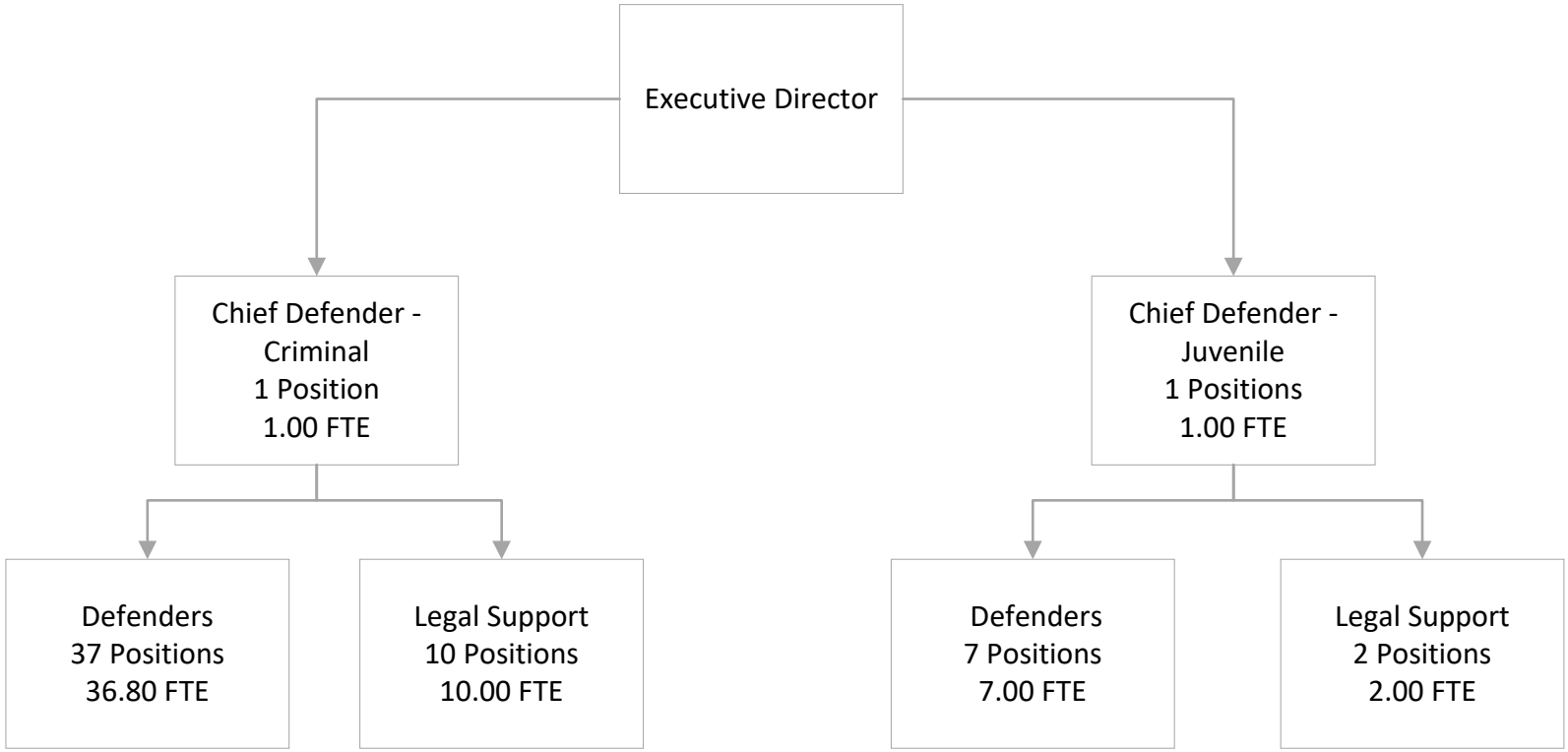
Appellate Division

Organizational Chart

2023-2025 Agency Request Budget

58 Positions

57.80 FTE



Appellate Division

Essential Packages

The essential packages present budget adjustments needed to bring the legislatively approved budget to current service level (CSL), the calculated cost of continuing legislatively approved programs into the 2023 – 25 biennium. The 2023 – 25 current service level is inclusive and only inclusive of the agency's 2023 – 25 base budget, a close derivative of the 2021 – 23 legislatively approved budget, and the essential packages, as defined in State of Oregon's biennial budget instructions.

Revenue Source

Essential packages in the Appellate Division reduce the agency's General Fund budget by $740,990.

Staffing Impact

There is no staffing impact.

Package No.	Package No. Description	Fund	Amount
010	Non-PICS Personal Services Adjustments (Inflation, Vacancy Savings, etc.)	General	(892,817)
021	Program Phase-in (2021 – 23 Legislatively Adopted Packages)	General	12,663
022	Program Phase-out (2021 – 23 Program or Expiration of Limited Duration Positions)	General	0
031	Standard Inflation and DAS Budget Instructions Price List Adjustments	General	139,164
32	Above Standard Inflation (Medical or Analyst Approved Inflation)	General	0
033	Exceptional Inflation	General	0

Appellate Division

Essential Packages

Package No.	Package No. Description	Fund	Amount
040	Mandated Caseload	General	0
050	Fund Shifts	General	0
060	Technical Adjustments	General	0
Total 2023 – 2025 Current Service Level Essential Packages		General	**(740,990)**
BASE	2023 – 2025 Base Budget	General	26,733,973
2023 – 2025 Current Service Level		**General**	**25,992,983**
081	June 13, 2022 Emergency Board	General	(1,360,000)
2023 – 2025 Modified Current Service Level		**General**	**24,632,983**

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Appellate Division**

Pkg: 010 - Vacancy Factor and Non-ORPICS Personal Services | **NOT AUDITED** | **Cross Reference Number: 40400-300-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	(892,817)	-	-	-	-	-	(892,817)
Total Revenues	**($892,817)**	**-**	**-**	**-**	**-**	**-**	**($892,817)**
Personal Services							
All Other Differential	(707,516)	-	-	-	-	-	(707,516)
Public Employees' Retire Cont	(126,787)	-	-	-	-	-	(126,787)
Pension Obligation Bond	(6,252)	-	-	-	-	-	(6,252)
Social Security Taxes	(54,125)	-	-	-	-	-	(54,125)
Unemployment Assessments	458	-	-	-	-	-	458
Paid Family Medical Leave Insurance	(2,830)	-	-	-	-	-	(2,830)
Mass Transit Tax	4,235	-	-	-	-	-	4,235
Vacancy Savings	-	-	-	-	-	-	-
Total Personal Services	**($892,817)**	**-**	**-**	**-**	**-**	**-**	**($892,817)**
Total Expenditures							
Total Expenditures	(892,817)	-	-	-	-	-	(892,817)
Total Expenditures	**($892,817)**	**-**	**-**	**-**	**-**	**-**	**($892,817)**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Appellate Division**

Pkg: 021 - Phase-in | **NOT AUDITED** | **Cross Reference Number: 40400-300-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	12,663	-	-	-	-	-	12,663
Total Revenues	**$12,663**	**-**	**-**	**-**	**-**	**-**	**$12,663**
Services & Supplies							
Instate Travel	248	-	-	-	-	-	248
Employee Training	1,118	-	-	-	-	-	1,118
Office Expenses	1,104	-	-	-	-	-	1,104
Telecommunications	108	-	-	-	-	-	108
Data Processing	750	-	-	-	-	-	750
Publicity and Publications	39	-	-	-	-	-	39
Professional Services	1,472	-	-	-	-	-	1,472
IT Professional Services	1,417	-	-	-	-	-	1,417
Dues and Subscriptions	63	-	-	-	-	-	63
Facilities Rental and Taxes	3,700	-	-	-	-	-	3,700
Facilities Maintenance	87	-	-	-	-	-	87
Other Services and Supplies	790	-	-	-	-	-	790
Expendable Prop 250 - 5000	413	-	-	-	-	-	413
IT Expendable Property	1,354	-	-	-	-	-	1,354
Total Services & Supplies	**$12,663**	**-**	**-**	**-**	**-**	**-**	**$12,663**
Total Expenditures							
Total Expenditures	12,663	-	-	-	-	-	12,663
Total Expenditures	**$12,663**	**-**	**-**	**-**	**-**	**-**	**$12,663**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Appellate Division**

Pkg: 021 - Phase-in | **NOT AUDITED** | **Cross Reference Number: 40400-300-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Appellate Division**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-300-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	139,164	-	-	-	-	-	139,164
Total Revenues	**$139,164**	**-**	**-**	**-**	**-**	**-**	**$139,164**
Services & Supplies							
Instate Travel	1,062	-	-	-	-	-	1,062
Out of State Travel	243	-	-	-	-	-	243
Employee Training	3,085	-	-	-	-	-	3,085
Office Expenses	65	-	-	-	-	-	65
Telecommunications	6	-	-	-	-	-	6
Data Processing	44	-	-	-	-	-	44
Publicity and Publications	158	-	-	-	-	-	158
Professional Services	114,197	-	-	-	-	-	114,197
IT Professional Services	13,226	-	-	-	-	-	13,226
Attorney General	5,729	-	-	-	-	-	5,729
Dues and Subscriptions	491	-	-	-	-	-	491
Facilities Rental and Taxes	218	-	-	-	-	-	218
Facilities Maintenance	5	-	-	-	-	-	5
Other Services and Supplies	46	-	-	-	-	-	46
Expendable Prop 250 - 5000	509	-	-	-	-	-	509
IT Expendable Property	80	-	-	-	-	-	80
Total Services & Supplies	**$139,164**	**-**	**-**	**-**	**-**	**-**	**$139,164**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Appellate Division**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-300-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Total Expenditures							
Total Expenditures	139,164	-	-	-	-	-	139,164
Total Expenditures	**$139,164**	**-**	**-**	**-**	**-**	**-**	**$139,164**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Appellate Division**

Pkg: 081 - June 2022 Emergency Board | **NOT AUDITED** | **Cross Reference Number: 40400-300-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	(1,360,000)	-	-	-	-	-	(1,360,000)
Total Revenues	**($1,360,000)**	**-**	**-**	**-**	**-**	**-**	**($1,360,000)**
Services & Supplies							
Professional Services	(1,360,000)	-	-	-	-	-	(1,360,000)
Total Services & Supplies	**($1,360,000)**	**-**	**-**	**-**	**-**	**-**	**($1,360,000)**
Total Expenditures							
Total Expenditures	(1,360,000)	-	-	-	-	-	(1,360,000)
Total Expenditures	**($1,360,000)**	**-**	**-**	**-**	**-**	**-**	**($1,360,000)**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

Trial Criminal Division

Executive Summary

Division	LAB/ACT	2021-23	2023-25 (ARB)	2025-27	2027-29
Trial Criminal	LAB	199,267,268	470,093,065	506,290,231	544,768,289
	Actuals				

Program Overview

The Trial Criminal Division within OPDS is responsible for delivering quality and efficient public defense services statewide by contracting with various entities including public defender offices, consortia, firms, non-profit organizations, and individuals. The Trial Criminal Division is critical to the development, implementation, and monitoring of the contracts for attorney compliance and performance.

Long Term Focus Areas:

Providing high-quality, zealous representation for indigent clients.

Primary Program Contact

Laurie Bender, Chief Criminal Trial Counsel

Trial Criminal Division

Executive Summary

Program Funding Request

Trial Criminal	GF	OF	TF	POS	FTE
LAB 21-23	199,267,268		199,267,268	-	-
CSL 23-25	180,964,555		180,964,555	-	-
ARB 23-25	470,093,065		470,093,065	36	36.00
GB 23-25					
LAB 23-25					
Difference	270,825,797		270,825,797	36	36.00
Pct Change	135.9%		135.9%		

2021-23 Special Purpose Appropriation

During the 2021 session, the Oregon Legislature passed HB 5030, which established the Public Defense Services Commission (PDSC) budget for the 2021-2023 biennium. HB 5030 contained a provision that held back $100 million of General Fund and placed it in a special purpose appropriation (SPA), appropriated to the Emergency Board for PDSC. In June 2022, the Emergency Board released the SPA, and the budget request includes a proportionate amount for Trial Criminal Division which was $70,250,989 for the 2021-23 biennium.

Consolidate Juvenile Representation

OPDS was also directed to move juvenile representation (delinquency and dependency) expenses into the Juvenile Division. About 18 percent of trial level representation costs (in counties not under the Parent Child Representation Program which was already in the Juvenile Division) were in contracts budgeted in the Trial Criminal Division. Accordingly, the current service level funding request for the Trial Criminal Division was reduced by $34,969,383 and is now requested in the Juvenile Division. In addition, a proportional share of the SPA (12,645,177) was not included in the package 081 (E-Board actions) for Trial Criminal Division but is instead requested in the Juvenile Division in the Agency Request Budget.

Trial Criminal Division

Executive Summary

Program Description

As set forth under ORS 151.216, as amended by HB 2003, PDSC is directed to ensure that financially eligible individuals receive competent court-appointed counsel for eligible cases in Oregon‘s trial and appellate courts. PDSC carries out its statutory mandate through the Office of Public Defense Services (OPDS). The Trial Criminal Division within OPDS is responsible for providing public defense services in adult criminal trial and appellate matters, including post-judgment eligible cases such as post-conviction relief and habeas petitions, as well as civil commitment and other mental health cases, in the most efficient manner consistent with the state and federal constitutional mandates and national standards of justice.

Currently, OPDS delivers public defense services by contracting with various provider types, including public defender offices, consortia, law firms, non-profit organizations, and individual attorneys. In January 2021, OPDS implemented a contract model based upon Fulltime Equivalent (FTE – now referred to as Maximum Attorney Caseload or MAC) attorneys as opposed to the previous case credit model. In July 2022, contracts were converted to a fiscal year basis and the agency executed more than 100 contracts. Contracts for representation in adult criminal cases are reflected in the Trial Criminal Division budget. Contracts for representation in juvenile dependency and delinquency cases, as well as appellate level cases are represented in the Juvenile and Appellate Division budgets, respectively.

Under the FTE/MAC model, additional non-contract attorneys are funded to represent eligible clients who cannot be represented by contractors due to a conflict of interest, or the contract entity is at capacity or does not have an attorney qualified to handle the case. The non-contract attorneys are compensated at an hourly rate of $75.00 - $105.00 per hour based on the case type. In July 2022, the PDSC authorized compensation up to $158 per hour for attorneys not under contract for representing clients that are in custody and for whom a contract attorney has not been identified. In August 2022, the PDSC expanded the $158 hourly Rate Program to include providers contracting for less than 1.0 FTE/MAC. This program sunsets on December 31, 2022.

July 1, 2022, OPDS executed more than 100 contracts with various contract entities. Based on Oregon Judicial Department (OJD) and OPDS data regarding current and past caseload trends, OPDS projected a slight increase in FTE amount from the previous contract period. In consultation with the provider community, OPDS made notable changes to the contracts, providing greater transparency and uniformity to the contract terms, reducing caseload numbers and assigning a salary reimbursement scale tied to attorney qualification for case types. Under the 2022-2023 contract terms, OPDS adopted a salary reimbursement scale for a 1.0 FTE/MAC contract attorney ranging from 195,850.00 (entry level attorney) to 226,450.00 (murder qualified attorney). Contract attorneys will prioritize court-

appointments for the most serious case type the attorney is qualified to accept. The non-contract hourly attorney will continue to be compensated at the rate of $75.00 - $105.00 per hour depending on the case type, with the exception of the unrepresented clients

Program Justification and link to Long-Term Outcomes

According to the Oregon Project: An Analysis of the Oregon Public Defense System and Attorney Workloads Standards (Jan. 2022), prepared by the American Bar Association Standing Committee on Legal Aid and Indigent Defense, based on current caseloads and projected FTE, OPDS has a substantial deficiency in public defense attorney FTE. PDSC/OPDS acknowledges that reducing and limiting caseloads/workloads is critical to the public defense system and to providing quality representation to clients. As such, PDSC/OPDS will continue to evaluate its public defense service model, and to advocate for fair compensation and reasonable caseloads/workloads. During the next contract period, PDSC/OPDS may determine that the effective use of taxpayer monies is better used to adopt a statewide public defender system, or alternatively, a system that makes efficient use of both private and public defenders. At the same time, the Criminal and Juvenile Trial Divisions will be responsible for monitoring the caseload and workloads of contract attorneys to ensure the effective assistance of counsel to clients in adult criminal and juvenile dependency and delinquency matters.

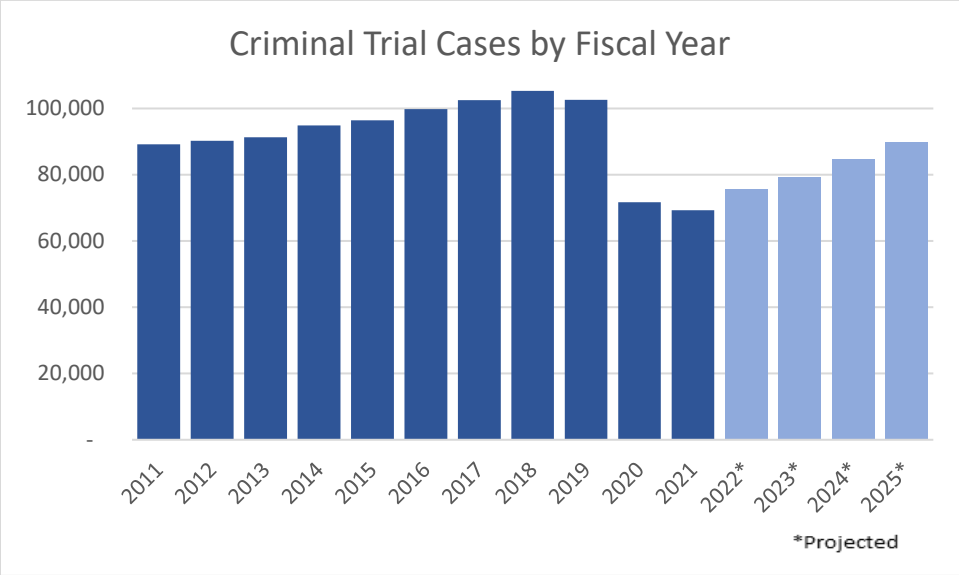
Program Performance

The Oregon Legislature created PDSC in 2001, and the agency assumed responsibility for public defense services in 2003. The governing statutes are contained in Oregon Revised Statutes, Chapter 151.

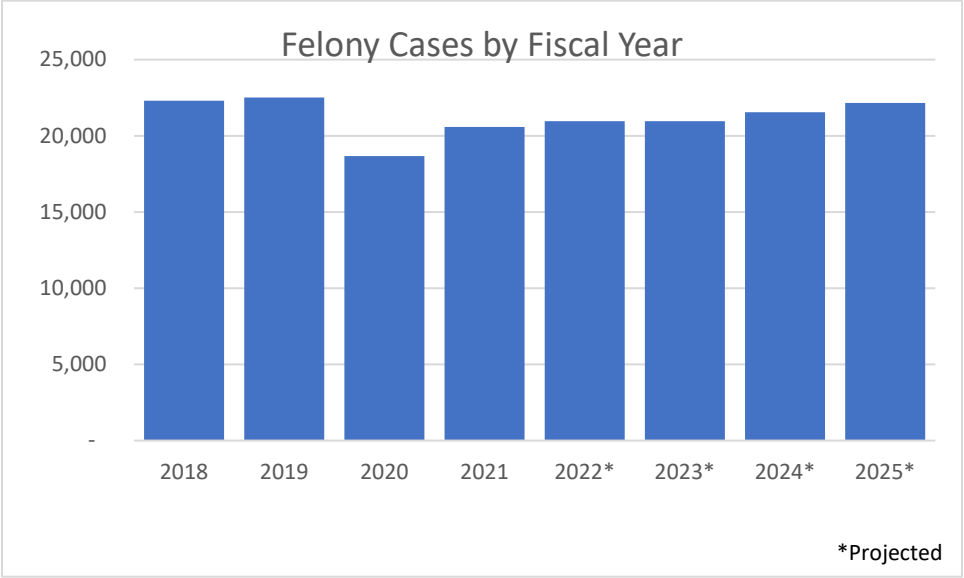
The performance of legal representation is currently limited to compliance with the PDSC Qualification Standards for Court-Appointed Counsel and by the Oregon State Bar's Performance Standards for Criminal and Delinquency Cases.

Pursuant to ORS 151.216, PDSC is directed to adopt policies, procedures, standards and guidelines regarding various aspects of providing the right to counsel, including the professional qualifications for counsel. Under this new mandate, OPDS will develop policies and procedures to supervise and systemically review defense counsel performance for quality and efficiency and monitor counsel's ability, training and experience to match the complexity of the case.

The chart below shows the total number of cases reported by OPDS contracted attorneys each year through Fiscal Year 2021, and the projected cases for fiscal years 2022 through 2025.



The pandemic resulted in court operations slowing substantially in 2020 and significantly reduced some types of cases. Other changes in Oregon law, including Ballot Measure 110 passed in 2020, have also reduced case numbers. The issuance and prosecution of felony cases, which take the most time to resolve, have been relatively steady over recent years.



The cases served by the Trial Criminal Division are mandated under the U.S. and State Constitutions, thus the current service level includes changes in forecast cases. The methodology for the 2023-25 caseload forecast begins with the forecast need reflected in 2022-23 contracts and adds the estimated growth by case type for 2024 and 2025. In general, the graphs above reflect forecasts that are moving toward historical trends. In other words, the caseload growth is used in conjunction with the caseload standards in the 2022-23 contract to estimate costs for the 2023-25 biennium.

Enabling Legislation

The duty of the State of Oregon to provide representation in criminal cases for those accused individuals unable to afford counsel derives from the Sixth Amendment to the United States Constitution, as interpreted by the United State Supreme Court, and from Article 1, Section 11 of the Oregon Constitution.

Trial Criminal Division

Executive Summary

Under current Oregon statutes, every financially eligible accused person in a criminal case is entitled to appointed counsel. Also, Oregon statutes provide for public representation to indigent defendants in their post-conviction and habeas corpus proceedings from a criminal conviction or delinquency adjudication, and to all persons who are the subject of a civil commitment proceeding.

Additionally, HB 5030, the budget bill regarding the legislative mandate outlined in HB 2003, established the Compliance, Audit, and performance (CAP) Division, which includes the Criminal and Juvenile Trial Divisions and Research and Development. The responsibilities of the Trial Criminal Division assume the day-to-day operational functions, including evaluating and approving attorney qualifications, evaluating and reviewing attorney complaints, and reviewing and approving Case Support Services (CSS) requests from providers. These day-to-day functions are inextricably intertwined with the Trial Criminal Division's role in compliance, audit, and performance. The CAP Division is ultimately responsible for the development of policies to ensure the quality of public defense services and to carry out the legislative mandates outlined in HB 2003, including developing and implementing CSS and attorney qualification standards, monitoring attorney qualification and performance standards and compliance, and providing support to attorneys and stakeholders including training, technical assistance, access to experts and other support services.

Funding Streams

The Trial Criminal Division is entirely funded by General Fund.

Funding Justification and Changes to CSL

The following policy option packages impact the Executive Division and are described elsewhere.

- Policy Package 101 – Provider Compensation
- Policy Package 102 – Provider Staffing
- Policy Package 106 – Quick Response Unit
- Policy Package 113 – Capacity Expansion

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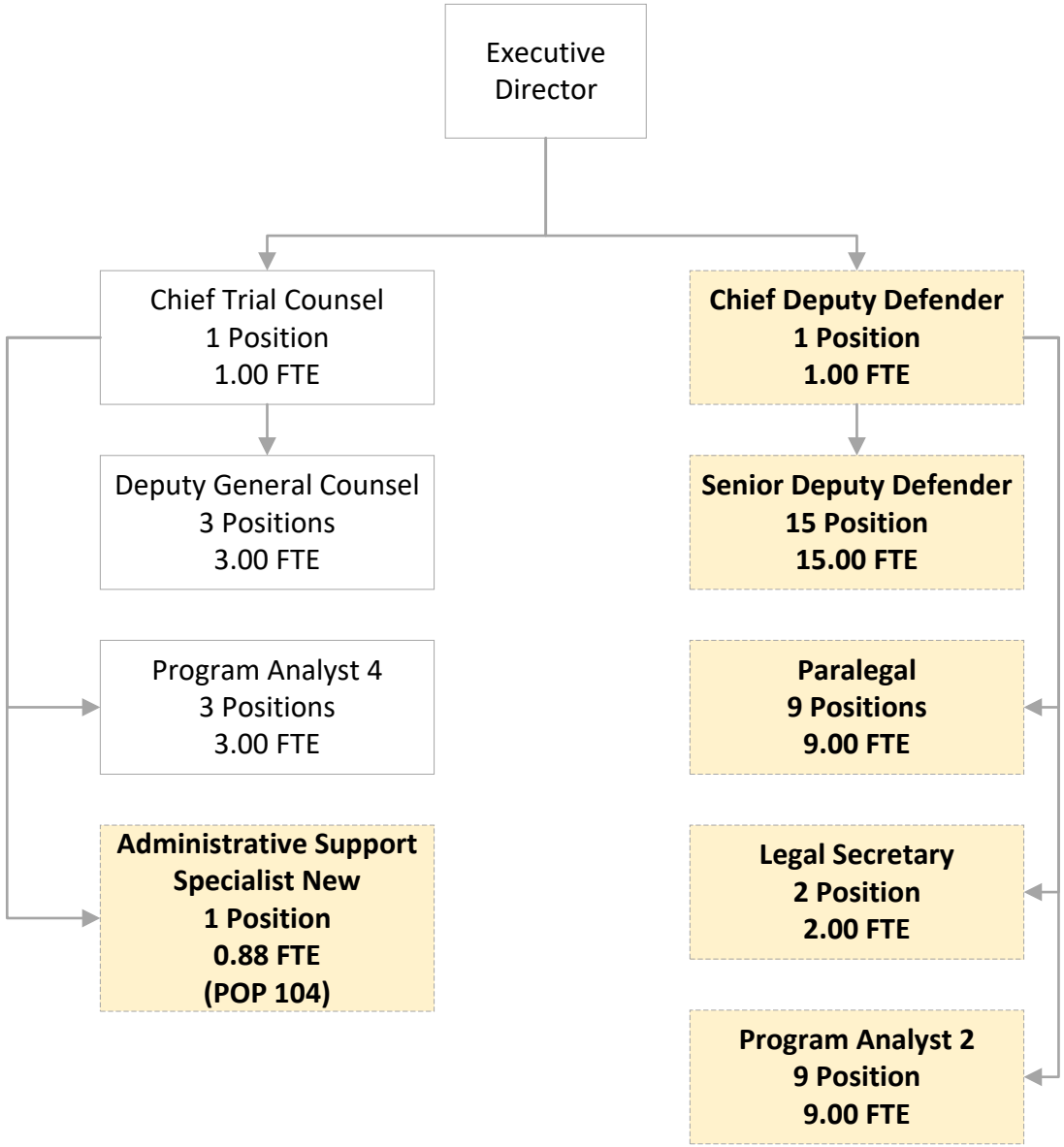
Trial Criminal Division

Organizational Chart

2023-2025 Agency Request Budget

44 Positions 43.88 FTE



Trial Criminal Division

Essential Packages

The essential packages present budget adjustments needed to bring the legislatively approved budget to current service level (CSL), the calculated cost of continuing legislatively approved programs into the 2023 – 25 biennium. The 2023 – 25 current service level is inclusive and only inclusive of the agency's 2023 – 25 base budget, a close derivative of the 2021 – 23 legislatively approved budget, and the essential packages, as defined in State of Oregon's biennial budget instructions.

Revenue Source

Essential packages in the Trial Criminal Division decrease the agency's General Fund budget by $18,302,713.

Staffing Impact

There is no staffing impact.

Package No.	Package No. Description	Fund	Amount
010	Non-PICS Personal Services Adjustments (Inflation, Vacancy Savings, etc.)	General	0
021	Program Phase-in (2021 – 23 Legislatively Adopted Packages)	General	0
022	Program Phase-out (2021 – 23 Program or Expiration of Limited Duration Positions)	General	(12,806,640)
031	Standard Inflation and DAS Budget Instructions Price List Adjustments	General	16,408,535
32	Above Standard Inflation (Medical or Analyst Approved Inflation)	General	0
033	Exceptional Inflation	General	0

Trial Criminal Division

Essential Packages

Package No.	Package No. Description	Fund	Amount
040	Mandated Caseload	General	13,064,775
050	Fund Shifts	General	0
060	Technical Adjustments	General	(34,969,383)
Total 2023 – 2025 Current Service Level Essential Packages		**General**	**(18,302,713)**
BASE	2023 – 2025 Base Budget	General	199,267,268
2023 – 2025 Current Service Level		**General**	**180,964,555**
081	June 2022 Emergency Board	General	56,061,890
2023 – 2025 Modified Current Service Level		**General**	**237,026,445**

What would this policy option package do and how would it be implemented? PDSC/OPDS will implement a competitive pay structure for all contract entities. This pay structure will be introduced as a comparative structure to how the state currently compensates defenders and senior defenders in OPDS appellate division and with assistant attorney general and senior assistant attorney general positions in the Department of Justice.

Why does the PDSC propose this POP? PDSC faces many challenges in its efforts to provide high quality public defense services but creating and implementing a sustainable system remains the greatest challenge. Low rates of pay for both contract and non-contract attorneys make it difficult for the providers to maintain manageable caseloads/workloads and to discharge their ethical and constitutional duties and obligations to the client. In both rural and urban jurisdictions, providers struggle to recruit and retain attorneys due to the comparatively low pay and the increasing student debt burdening the newer attorneys. Newer attorneys who have taken positions in public defender offices leave once they have gained experience in order to avoid low pay and high caseloads. These challenges are exacerbated by the lack of supervision and training and/or mentoring, limited investigation, case management and other resources to support and ensure competent client-centered representation.

While increased funding will not fix all the problems with the current delivery of public defense services, attorney salary and resource parity with the prosecution is critical to addressing the escalating number of attorneys leaving public defense, improving the current public defense delivery model, and promoting and maintaining a fair and just criminal justice system. The public defense system must be adequately resourced to participate as equals in Oregon's criminal justice system.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? The PDSC's mission to "improve quality representation and to improve systemic efficiencies" is completely aligned with the agency's overall strategic plan, which continues to build on past planning efforts and accomplishments and is aligned with the current rollout of the Compliance, Audit & Performance (CAP) Division of the Office of Public Defense Services (OPDS).

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? Attorneys with OPDS contracts are required to adhere to national and state-specific state practice standards and ethical rules to ensure that indigent defendants have access to high-quality representation. OPDS collects data from attorney providers that include case and client information for each attorney's court appointments, open caseload and activity time, and maintains an attorney qualification database. OPDS data, along with Oregon Justice Department data, is utilized to monitor the qualification (and performance) of attorneys, and to monitor open caseload and workload. Both quantitative and qualitative data can be used to evaluate whether

attorneys are meeting the required standards, and to identify individuals or practice areas where additional training and supervision would be beneficial.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No

What alternatives were considered and what were the reasons for rejecting them? PDSC has accomplished several improvements to the public defense delivery model. In 2019, the Sixth Amendment Center evaluated Oregon's trial level public defense representation provided through OPDS. As a result of this evaluation, PDSC made significant changes to the contract terms, including adopting a fulltime employment-equivalent (FTE) caseload standard and established a rural/non-rural standard payment scale for those caseloads. In 2022, OPDS made further improvements to the criminal and non-PCRP juvenile contracts by implementing a uniform tiered reimbursement structure which is tied to the experience level of the attorney. OPDS lowered the caseloads standards and provided greater clarity and definition around maximum caseloads and weighting factors. The tiered reimbursement structure adopted by PDSC provided a more uniform and fair approach to attorney compensation in both rural and non-rural jurisdictions. Overall attorney compensation increased for more experienced contract attorneys; however, the agency was unable to fund for attorney supervision and training, certified law students, and other necessary staff and resources to reduce caseloads and improve the quality of representation. The adopted increase in attorney salary compensation included funding for salary, a benefit load of 36%, a fixed amount for a .50 support staff and overhead costs (which varied between the rural and non-rural jurisdictions). The tiered reimbursement structure resulted in an overall 5% increase in compensation, however this increase is well below the current rate of inflation.

What would be the adverse effects of not funding this POP? A functioning adversarial legal system requires two adequately resourced opposing sides. A decision to continue to underfund indigent defense, to ignore defender-prosecutor salary disparity, will lead to greater injustices to individual people accused of crimes and a more broken criminal justice system.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? PDSC/OPDS is collaborating with the Legislative Workgroup on Public Defense and the provider community, including not-for-profit public defenders, consortia members, individual law firms and non-contract private bar members.

What is your equity analysis? Public defenders serve those who suffer the most from the injustices of our system. Currently, as evidenced by a backlog of unrepresented clients, public defense offices and consortia do not have adequate funding to provide appropriate compensation to experienced, qualified attorneys doing this important work. The inability to recruit and retain qualified counsel due to the inadequate funding and salary disparity between prosecutors and defenders has a detrimental effect on the quality of representation. Moreover, the chronic underinvestment in public defense services in Oregon is a racial justice issue of highest importance. Racism pervades every stage of the criminal justice system, as is apparent from empirical evidence demonstrating the disproportionate number of people of color who are stopped, arrested, charged and incarcerated. The defender-prosecutor salary disparity reflects a failure in our society to value the work done on behalf of the poor and disadvantaged.

What assumptions affect the pricing of this POP? Legislative approval of an expansion in indigent defense funding will be necessary to fund this policy package. The current budget for indigent defense funding is grossly inadequate and represents years of policy decisions that have resulted in a chronic underfunding of the public defense system and growing disparity between prosecutors and defenders.

Implementation Date(s): July 1, 2023.

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** PDSC will function and provide oversight pursuant to legislative mandate.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** None.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** Indigent defense funding directly impacts the quality of representation provided in the state.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** Internally, there would be no additional staff needed to implement this policy package. As the CAP Division matures and its Research and Data Division identifies system improvements, additional staff may be needed to implement new programs and services.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** None.

f. **What are the ongoing costs?** Ongoing costs for indigent defense funding include budgets for other services and programs implemented and managed by OPDS, including the Appellate Division, Case Support Services, Court-Mandated Expense and Special Programs. If this package is adopted and included in the PDSC 2025-27 base budget, the total cost in Trial Criminal and Juvenile Divisions would be $37,892,895.

g. **What are the potential savings?** None.

What would this policy option package do and how would it be implemented? PDSC/OPDS will implement a competitive pay structure for all contract entities. This pay structure will be introduced as a comparative structure to how the state currently compensates defenders and senior defenders in OPDS and with assistant attorney general and senior assistant attorney general positions in the Department of Justice. Policy Package 102 is a continuation of Policy Package 101. In addition to creating parity at the attorney compensation level, it takes the next step by providing a menu of options to provide funding for support staffing, supervision, training and administrative costs.

Why does the PDSC propose this POP? PDSC faces many challenges in its efforts to provide high quality public defense services but creating and implementing a sustainable system remains the greatest challenge. Low rates of pay for both contact and non-contract attorneys make it difficult for the providers to maintain manageable caseloads/workloads and to discharge their ethical and constitutional duties and obligations to the client. In both rural and urban jurisdictions, providers struggle to recruit and retain attorneys due to the comparatively low pay and the increasing student debt burdening the newer attorneys. Newer attorneys who have taken positions in public defender offices leave once they have gained experience in order to avoid low pay and high caseloads. These challenges are exacerbated by the lack of supervision and training and/or mentoring, limited investigation, case management and other resources to support and ensure competent client-centered representation. The importance of support staff, investigators, case managers and social workers cannot be overstated. By funding these critical positions in a non-profit PD office or consortium, the attorney workload will be reduced, and case outcomes improved.

While increased funding will not fix all the problems with the current delivery of public defense services, attorney salary and resource parity with the prosecution is critical to promoting and maintaining a fair and just criminal justice system. The public defense system must be adequately resourced to participate as equals in Oregon's criminal justice system.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? The PDSC's mission to "improve quality representation and to improve systemic efficiencies" is completely aligned with the agency's overall strategic plan, which continues to build on past planning efforts and accomplishments and is aligned with the current rollout of the Compliance, Audit & Performance (CAP) Division of the Office of Public Defense Services (OPDS).

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? Attorneys with OPDS contracts are required to adhere to national and state-specific state practice standards and ethical rules to ensure that indigent defendants have access to high-quality representation. OPDS collects data from attorney

providers that include case and client information for each attorney's court appointments, open caseload and activity time, and maintains an attorney qualification database. OPDS data, along with Oregon Justice Department data, is utilized to monitor the qualification (and performance) of attorneys, and to monitor open caseload and workload. Both quantitative and qualitative data can be used to evaluate whether attorneys are meeting the required standards, and to identify individuals or practice areas where additional training and supervision would be beneficial.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No.

What alternatives were considered and what were the reasons for rejecting them? PDSC has accomplished several improvements to the public defense delivery model. In 2019, the Sixth Amendment Center evaluated Oregon's trial level public defense representation provided through OPDS. As a result of this evaluation, PDSC made significant changes to the contract terms, including adopting a fulltime employment-equivalent (FTE) caseload standard and established a rural/non-rural standard payment scale for those caseloads. In 2022, OPDS made further improvements to the criminal and non-PCRP juvenile contracts by implementing a uniform tiered reimbursement structure which is tied to the experience level of the attorney. OPDS lowered the caseloads standards and provided greater clarity and definition around maximum caseloads and weighting factors. The tiered reimbursement structure adopted by PDSC provided a more uniform and fair approach to attorney compensation in both rural and non-rural jurisdictions. Overall attorney compensation increased for more experienced contract attorneys; however, the agency was unable to fund for attorney supervision and training, certified law students, and other necessary staff and resources to reduce caseloads and improve the quality of representation. The adopted increase in attorney salary compensation included funding for salary, a benefit load of 36%, a fixed amount for a .50 support staff and overhead costs (which varied between the rural and non-rural jurisdictions). The tiered reimbursement structure resulted in an overall 5% increase in compensation, however this increase is well below the current rate of inflation.

What would be the adverse effects of not funding this POP? A functioning adversarial legal system requires two adequately resourced opposing sides. A decision to continue to underfund indigent defense, to ignore defender-prosecutor salary disparity, will lead to greater injustices to individual people accused of crimes and a more broken criminal justice system.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? PDSC/OPDS is collaborating with the Legislative Workgroup on Public Defense and the provider community, including not-for-profit public defenders, consortia members, individual law firms and non-contract private bar members.

What is your equity analysis? Public defenders serve those who suffer the most from the injustices of our system. Currently, as evidenced by a backlog of unrepresented clients, public defense offices and consortia do not have adequate funding to provide appropriate compensation to experienced, qualified attorneys doing this important work. The inability to recruit and retain qualified counsel due to the inadequate funding and salary disparity between prosecutors and defenders has a detrimental effect on the quality of representation. Moreover, the chronic underinvestment in public defense services in Oregon is a racial justice issue of highest importance. Racism pervades every stage of the criminal justice system, as is apparent from empirical evidence demonstrating the disproportionate number of people of color who are stopped, arrested, charged and incarcerated. The defender-prosecutor salary disparity reflects a failure in our society to value the work done on behalf of the poor and disadvantaged.

What assumptions affect the pricing of this POP? Legislative approval of an expansion in indigent defense funding will be necessary to fund this policy package. The current budget for indigent defense funding is grossly inadequate and represents years of policy decisions that have resulted in a chronic underfunding of the public defense system and growing disparity between prosecutors and defenders.

Implementation Date(s): July 1, 2023

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** PDSC will function and provide oversight pursuant to legislative mandate.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected?** None.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** Indigent defense funding directly impacts the quality of representation provided in the state.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or**

temporary. Internally, there would be no additional staff needed to implement this policy package. As the CAP Division matures and its Research and Data Division identifies system improvements, additional staff may be needed to implement new programs and services.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** None.

f. **What are the ongoing costs?** Ongoing costs for indigent defense funding include budgets for other services and programs implemented and managed by OPDS, including the Appellate Division, Case Support Services, Court-Mandated Expense and Special Programs. If this package is adopted and included in the PDSC 2025-27 base budget, the total cost in Trial Criminal and Juvenile Divisions would be $141,448,956.

g. **What are the potential savings?** There are no savings.

What would this policy option package do and how would it be implemented? This package establishes a team of state public defenders to handle Major Felony, Jessica's Law and Measure 11 crimes throughout the state to help address the current and ongoing backlog of incarcerated individuals without representation. There is a recognized need in the state to relieve county-level contractors of more occasional serious major crimes, particularly in smaller jurisdictions, so they can focus on the daily needs of the counties they serve. The proposed policy package will establish a group of state public defenders to handle major crimes throughout the state. They will also support public defense contractors in smaller counties through training, specialized CLEs, and qualification standards improvements. These attorneys would be stationed in the rural and coastal parts of the state, engaging local counsel as often as practicable both to learn local court rules, but also to ensure that local attorneys are gaining training and improved qualifications to handle serious cases. This unit will also assist PDSC/OPDS in gaining a better understanding of the needs and shortages across the state for major crimes defense work and guide future training and policy decisions regionally. There will also be additional groups of attorneys stationed in the Portland Metro Area and in Salem, to handle the mid and lower Willamette Valley. This package establishes 3 teams: the first team consisting of 5 attorneys, 2 paralegals, 2 investigators and one legal secretary to be stationed in Salem; the second team will consist of 5 attorneys, 2 paralegals, 2 investigators and one legal secretary to be stationed in Portland; and the third team will be comprised of 5 attorneys, each with one paralegal and one investigator, stationed separately and strategically outside the I-5 corridor and Salem. All three teams will be managed by a dedicated supervising attorney in Salem. The implementation of this unit would be phased in through the 2023-2025 biennium.

Why does the PDSC propose this POP? Difficulties in public defense recruitment and retention has led to a shortage of qualified Jessica's Law and major felony-experienced attorneys in several areas of Oregon. These cases are particularly complicated and make up a significant portion of Post-Conviction Relief cases filed statewide. Inexperienced or undertrained attorneys handling these cases can lead to longer prison sentences, increased need for post-conviction representation, and ultimately additional trial resources if their PCR petitions are granted. Oregon has many experienced, talented attorneys who handle these serious crimes, however their distribution across the state is inconsistent, creating jurisdictions without attorneys to handle these cases, much less train and qualify newer attorneys. There is also a need in the state to relieve county-level contractors of more occasional serious major crimes, particularly in smaller jurisdictions, so they can focus on the daily needs of the counties they serve.

The proposed policy package will establish a group of public defenders to handle major crimes throughout the state. They will also support public defense contractors in smaller counties through training, specialized CLEs, and qualification standards improvements.

These attorneys would travel the state, engaging local counsel as often as practicable both to learn local court rules, but also to ensure that local attorneys are gaining training and improved qualifications to handle serious cases. This will also assist PDSC/OPDS in gaining a better understanding of the needs and shortages across the state for major crimes defense work and guide future training and policy decisions regionally.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? The PDSC's stated mission is "that eligible individuals have timely access to legal services, consistent with Oregon and national standards of justice." Currently there is a shortage in certain jurisdictions across Oregon of Major Felony/Jessica's Law qualified attorneys, leading to unrepresented individuals facing these charges. In the PDSC's 2016-2021 Strategic Plan, its vision is that it will "maintain a sustainable statewide public defense system that provides quality representation to eligible clients in trial and appellate court proceedings."[1] As a part of its goal to provide competent, client-centered representation at all stages of a court case, Strategy 3 included "[i]increase OPDS presence across the state to provide training, support, and monitoring of contract providers". This statewide, highly qualified team will help provide timely, high quality legal services while assisting OPDS in monitoring, training, and supporting providers across the state.

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? OPDS data, along with Oregon Justice Department data, is utilized to monitor the qualification (and performance) of attorneys, and to monitor open caseload and workload. Both quantitative and qualitative data can be used to evaluate whether attorneys are meeting the required standards, and to identify individuals or practice areas where additional training and supervision would be beneficial. It is expected that the implementation of the Quick Response Unit will reduce the need for hourly non-contract attorneys, particularly in jurisdictions where capacity does not meet the need.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. None.

What alternatives were considered and what were the reasons for rejecting them? In the 2022 contracting cycle, there was an attempt to enlist attorneys from neighboring jurisdictions to be assist jurisdictions in need. This was met with negative reactions from providers across the state who would find it difficult to travel out of county.

[1] https://www.oregon.gov/opds/commission/reports/PDSCStrategicPlan2016-2021.pdf

What would be the adverse effects of not funding this POP? The experience gap caused by high turnover in certain jurisdictions will continue, potentially widen, and it will be more likely that there will be unrepresented individuals in the future due to these qualified attorney shortages.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? None.

What is your equity analysis? None

What assumptions affect the pricing of this POP? Currently, when there are no available, qualified attorneys in a jurisdiction, it is left to the trial court administrator, the OPDS Program Analyst for that jurisdiction, or Trial Division counsel to locate a qualified attorney not under contract or from another jurisdiction willing to take on the case – often at an hourly rate if they are not otherwise contracting with OPDS/PDSC. A dedicated Quick Response Unit would be more efficient and cost effective to meet these needs whenever/wherever they arise.

Implementation Date(s): July 1, 2023.

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** This is the possible addition of 36 new positions with stationed in throughout the state. PDSC is not currently staffed or equipped to handle this sort of expansion. Currently there is no infrastructure or personnel in the agency to implement this program (i.e., host, manage) bandwidth in the central services. Further, the agency will need to work with the union to establish an investigator classification within the PDSC compensation plan.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** There will be significant impacts to central services. To implement the first phase of the program, the agency will need to work with the existing Facilities Manager to designate office space, equipment and other support services in the available Salem office space to house the Salem Team. In the subsequent phasing of this program, in addition to securing physical office space and proving all necessary support, IT Services will need to plan how to accommodate the technology needs of staff across the state. Additionally, the Trial

Division will need to develop and implement policies and procedures for this program to operate under. If, and when, the Quick Response Unit is fully implemented, PDSC/OPDS may require additional human resource staffing and other personnel support and resources.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** The proposed delivery model for the Quick Response Unit is different in terms of employment,

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** Total of 36 positions - Statewide: 5 senior defenders, 5 paralegals, 5 investigators; Portland: 5 senior defenders, 2 paralegals, 2 investigators, 1 legal secretary; Salem: 5 senior defenders, 2 paralegals, 2 investigators, 1 legal secretary; 1 Chief Deputy Defender in Salem

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?**

f. **What are the ongoing costs?** If this package is adopted and included in the PDSC 2025-27 base budget, the total cost would be $11,393,316.

g. **What are the potential savings?** A significant reduction in the Court Mandated Expenses.

What would this policy option package do and how would it be implemented? Policy Package 113 adds attorney capacity to the system and is further continuation of Policy Packages 101 and 102. Building on the compensation parity and funding for support staff of the other packages, Package 113 provides funding to contract for 130 attorneys to address unrepresented clients and to reduce the caseloads carried by current attorneys.

Why does the PDSC propose this POP? PDSC faces many challenges in its efforts to provide high quality public defense services but creating and implementing a sustainable system remains the greatest challenge.

In January 2022, The American Bar Association and Moss Adams published the results of a study analyzing historical caseloads for public defense in Oregon. The study, The Oregon Project: An Analysis of the Oregon Public Defense System and Attorney Workload Standards, found that Oregon has only about one-third of the attorneys working in public defense that are needed to adequately represent clients given the historical caseloads. The conclusion of the study notes:

At current caseloads, OPDS has a significant deficiency of FTE attorneys to provide public defense services in Adult Criminal and Juvenile cases. OPDS needs an additional 1,296 fulltime attorneys – more than three times its current level – to meet the standard of reasonably effective assistance of counsel guaranteed by the Sixth Amendment. (*The Oregon Project*, pg. 35)

Expanding the capacity for public defense representation by adding additional 130 attorneys will reduce the identified unmet need in Oregon.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? The PDSC's mission to "improve quality representation and to improve systemic efficiencies" is completely aligned with the agency's overall strategic plan, which continues to build on past planning efforts and accomplishments and is aligned with the current rollout of the Compliance, Audit & Performance (CAP) Division of the Office of Public Defense Services (OPDS).

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? Attorneys with OPDS contracts are required to adhere to national and state-specific state practice standards and ethical rules to ensure that indigent defendants have access to high-quality representation. OPDS collects data from attorney providers that include case and client information for each attorney's court appointments, open caseload and activity time, and maintains an attorney qualification database. OPDS data, along with Oregon Justice Department data, is utilized to monitor the qualification (and performance) of attorneys, and to monitor open caseload and workload. Both quantitative and qualitative data can be used to evaluate whether

attorneys are meeting the required standards, and to identify individuals or practice areas where additional training and supervision would be beneficial.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No.

What alternatives were considered and what were the reasons for rejecting them? PDSC has accomplished several improvements to the public defense delivery model. In 2019, the Sixth Amendment Center evaluated Oregon's trial level public defense representation provided through OPDS. As a result of this evaluation, PDSC made significant changes to the contract terms, including adopting a fulltime employment-equivalent (FTE) caseload standard and established a rural/non-rural standard payment scale for those caseloads. In 2022, OPDS made further improvements to the criminal and non-PCRP juvenile contracts by implementing a uniform tiered reimbursement structure which is tied to the experience level of the attorney. OPDS lowered the caseloads standards and provided greater clarity and definition around maximum caseloads and weighting factors. The tiered reimbursement structure adopted by PDSC provided a more uniform and fair approach to attorney compensation in both rural and non-rural jurisdictions. Overall attorney compensation increased for more experienced contract attorneys; however, the agency was unable to fund for attorney supervision and training, certified law students, and other necessary staff and resources to reduce caseloads and improve the quality of representation. The adopted increase in attorney salary compensation included funding for salary, a benefit load of 36%, a fixed amount for a .50 support staff and overhead costs (which varied between the rural and non-rural jurisdictions). The tiered reimbursement structure resulted in an overall 5% increase in compensation, however this increase is well below the current rate of inflation.

What would be the adverse effects of not funding this POP? A functioning adversarial legal system requires two adequately resourced opposing sides. A decision to continue to underfund indigent defense, to ignore defender-prosecutor salary disparity, will lead to greater injustices to individual people accused of crimes and a more broken criminal justice system.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? PDSC/OPDS is collaborating with the Legislative Workgroup on Public Defense and the provider community, including not-for-profit public defenders, consortia members, individual law firms and non-contract private bar members.

What is your equity analysis? Public defenders serve those who suffer the most from the injustices of our system. Currently, as evidenced by a backlog of unrepresented clients, public defense offices and consortia do not have adequate funding to provide appropriate compensation to experienced, qualified attorneys doing this important work. The inability to recruit and retain qualified counsel due to the inadequate funding and salary disparity between prosecutors and defenders has a detrimental effect on the quality of representation. Moreover, the chronic underinvestment in public defense services in Oregon is a racial justice issue of highest importance. Racism pervades every stage of the criminal justice system, as is apparent from empirical evidence demonstrating the disproportionate number of people of color who are stopped, arrested, charged and incarcerated. The defender-prosecutor salary disparity reflects a failure in our society to value the work done on behalf of the poor and disadvantaged.

What assumptions affect the pricing of this POP? Legislative approval of an expansion in indigent defense funding will be necessary to fund this policy package. The current budget for indigent defense funding is grossly inadequate and represents years of policy decisions that have resulted in a chronic underfunding of the public defense system and growing disparity between prosecutors and defenders.

Implementation Date(s): July 1, 2023

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** PDSC will function and provide oversight pursuant to legislative mandate.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** None.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** Indigent defense funding directly impacts the quality of representation provided in the state.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** Internally, there would be no additional staff needed to implement this policy package. As the CAP Division matures and its Research and Data Division identifies system improvements, additional staff may be needed to implement new programs and services.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** None.

f. **What are the ongoing costs?** Ongoing costs for indigent defense funding include budgets for other services and programs implemented and managed by OPDS, including the Appellate Division, Case Support Services, Court-Mandated Expense and Special Programs. If this package is adopted and included in the PDSC 2025-27 base budget, the total cost in Trial Criminal and Juvenile Divisions would be $127,534,419.

g. **What are the potential savings?** No savings.

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Trial Criminal Division**

Pkg: 010 - Vacancy Factor and Non-ORPICS Personal Services | **NOT AUDITED** | **Cross Reference Number: 40400-400-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	-	-	-	-	-	-	-
Total Revenues	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Services & Supplies							
Professional Services	-	-	-	-	-	-	-
Total Services & Supplies	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Expenditures							
Total Expenditures	-	-	-	-	-	-	-
Total Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Trial Criminal Division**

Pkg: 022 - Phase-out Pgm & One-time Costs | **NOT AUDITED** | **Cross Reference Number: 40400-400-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	(12,806,640)	-	-	-	-	-	(12,806,640)
Total Revenues	**($12,806,640)**	**-**	**-**	**-**	**-**	**-**	**($12,806,640)**
Services & Supplies							
Professional Services	(12,806,640)	-	-	-	-	-	(12,806,640)
Total Services & Supplies	**($12,806,640)**	**-**	**-**	**-**	**-**	**-**	**($12,806,640)**
Total Expenditures							
Total Expenditures	(12,806,640)	-	-	-	-	-	(12,806,640)
Total Expenditures	**($12,806,640)**	**-**	**-**	**-**	**-**	**-**	**($12,806,640)**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Trial Criminal Division**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-400-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	16,408,535	-	-	-	-	-	16,408,535
Total Revenues	**$16,408,535**	**-**	**-**	**-**	**-**	**-**	**$16,408,535**
Services & Supplies							
Professional Services	16,408,535	-	-	-	-	-	16,408,535
Total Services & Supplies	**$16,408,535**	**-**	**-**	**-**	**-**	**-**	**$16,408,535**
Total Expenditures							
Total Expenditures	16,408,535	-	-	-	-	-	16,408,535
Total Expenditures	**$16,408,535**	**-**	**-**	**-**	**-**	**-**	**$16,408,535**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Trial Criminal Division**

Pkg: 040 - Mandated Caseload | **NOT AUDITED** | **Cross Reference Number: 40400-400-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	13,064,775	-	-	-	-	-	13,064,775
Total Revenues	**$13,064,775**	**-**	**-**	**-**	**-**	**-**	**$13,064,775**
Services & Supplies							
Professional Services	13,064,775	-	-	-	-	-	13,064,775
Total Services & Supplies	**$13,064,775**	**-**	**-**	**-**	**-**	**-**	**$13,064,775**
Total Expenditures							
Total Expenditures	13,064,775	-	-	-	-	-	13,064,775
Total Expenditures	**$13,064,775**	**-**	**-**	**-**	**-**	**-**	**$13,064,775**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Trial Criminal Division**

Pkg: 060 - Technical Adjustments | **NOT AUDITED** | **Cross Reference Number: 40400-400-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	(34,969,383)	-	-	-	-	-	(34,969,383)
Total Revenues	**($34,969,383)**	**-**	**-**	**-**	**-**	**-**	**($34,969,383)**
Services & Supplies							
Professional Services	(34,969,383)	-	-	-	-	-	(34,969,383)
Total Services & Supplies	**($34,969,383)**	**-**	**-**	**-**	**-**	**-**	**($34,969,383)**
Total Expenditures							
Total Expenditures	(34,969,383)	-	-	-	-	-	(34,969,383)
Total Expenditures	**($34,969,383)**	**-**	**-**	**-**	**-**	**-**	**($34,969,383)**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Trial Criminal Division**

Pkg: 081 - June 2022 Emergency Board | **NOT AUDITED** | **Cross Reference Number: 40400-400-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	56,061,890	-	-	-	-	-	56,061,890
Total Revenues	**$56,061,890**	**-**	**-**	**-**	**-**	**-**	**$56,061,890**
Services & Supplies							
Professional Services	56,061,890	-	-	-	-	-	56,061,890
Total Services & Supplies	**$56,061,890**	**-**	**-**	**-**	**-**	**-**	**$56,061,890**
Total Expenditures							
Total Expenditures	56,061,890	-	-	-	-	-	56,061,890
Total Expenditures	**$56,061,890**	**-**	**-**	**-**	**-**	**-**	**$56,061,890**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Trial Criminal Division**

Pkg: 101 - Provider Compensation | **NOT AUDITED** | **Cross Reference Number: 40400-400-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	32,620,945	-	-	-	-	-	32,620,945
Total Revenues	**$32,620,945**	**-**	**-**	**-**	**-**	**-**	**$32,620,945**
Services & Supplies							
Professional Services	32,620,945	-	-	-	-	-	32,620,945
Total Services & Supplies	**$32,620,945**	**-**	**-**	**-**	**-**	**-**	**$32,620,945**
Total Expenditures							
Total Expenditures	32,620,945	-	-	-	-	-	32,620,945
Total Expenditures	**$32,620,945**	**-**	**-**	**-**	**-**	**-**	**$32,620,945**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Trial Criminal Division**

Pkg: 102 - Provider Staffing | **NOT AUDITED** | **Cross Reference Number: 40400-400-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	105,256,076	-	-	-	-	-	105,256,076
Total Revenues	**$105,256,076**	**-**	**-**	**-**	**-**	**-**	**$105,256,076**
Services & Supplies							
Professional Services	105,256,076	-	-	-	-	-	105,256,076
Total Services & Supplies	**$105,256,076**	**-**	**-**	**-**	**-**	**-**	**$105,256,076**
Total Expenditures							
Total Expenditures	105,256,076	-	-	-	-	-	105,256,076
Total Expenditures	**$105,256,076**	**-**	**-**	**-**	**-**	**-**	**$105,256,076**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Trial Criminal Division**

Pkg: 106 - Quick Response Unit | **NOT AUDITED** | **Cross Reference Number: 40400-400-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	10,754,145	-	-	-	-	-	10,754,145
Total Revenues	**$10,754,145**	**-**	**-**	**-**	**-**	**-**	**$10,754,145**
Personal Services							
Class/Unclass Sal. and Per Diem	6,867,912	-	-	-	-	-	6,867,912
All Other Differential	-	-	-	-	-	-	-
Empl. Rel. Bd. Assessments	1,908	-	-	-	-	-	1,908
Public Employees' Retire Cont	1,230,735	-	-	-	-	-	1,230,735
Social Security Taxes	525,400	-	-	-	-	-	525,400
Paid Family Medical Leave Insurance	26,550	-	-	-	-	-	26,550
Worker's Comp. Assess. (WCD)	1,656	-	-	-	-	-	1,656
Mass Transit Tax	41,568	-	-	-	-	-	41,568
Flexible Benefits	1,450,656	-	-	-	-	-	1,450,656
Total Personal Services	**$10,146,385**	**-**	**-**	**-**	**-**	**-**	**$10,146,385**
Services & Supplies							
Instate Travel	11,900	-	-	-	-	-	11,900
Employee Training	53,680	-	-	-	-	-	53,680
Office Expenses	53,000	-	-	-	-	-	53,000
Telecommunications	5,200	-	-	-	-	-	5,200
Data Processing	36,000	-	-	-	-	-	36,000
Publicity and Publications	1,860	-	-	-	-	-	1,860
Professional Services	70,640	-	-	-	-	-	70,640
IT Professional Services	68,000	-	-	-	-	-	68,000

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Trial Criminal Division**

Pkg: 106 - Quick Response Unit | **NOT AUDITED** | **Cross Reference Number: 40400-400-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Dues and Subscriptions	3,000	-	-	-	-	-	3,000
Facilities Rental and Taxes	177,600	-	-	-	-	-	177,600
Facilities Maintenance	4,160	-	-	-	-	-	4,160
Other Services and Supplies	37,920	-	-	-	-	-	37,920
Expendable Prop 250 - 5000	19,800	-	-	-	-	-	19,800
IT Expendable Property	65,000	-	-	-	-	-	65,000
Total Services & Supplies	**$607,760**	**-**	**-**	**-**	**-**	**-**	**$607,760**
Total Expenditures							
Total Expenditures	10,754,145	-	-	-	-	-	10,754,145
Total Expenditures	**$10,754,145**	**-**	**-**	**-**	**-**	**-**	**$10,754,145**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Positions							
Total Positions							36
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**36**
Total FTE							
Total FTE							36.00
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**36.00**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Trial Criminal Division**

Pkg: 113 - Capacity Expansion | **NOT AUDITED** | **Cross Reference Number: 40400-400-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	84,435,454	-	-	-	-	-	84,435,454
Total Revenues	**$84,435,454**	**-**	**-**	**-**	**-**	**-**	**$84,435,454**
Services & Supplies							
Professional Services	84,435,454	-	-	-	-	-	84,435,454
Total Services & Supplies	**$84,435,454**	**-**	**-**	**-**	**-**	**-**	**$84,435,454**
Total Expenditures							
Total Expenditures	84,435,454	-	-	-	-	-	84,435,454
Total Expenditures	**$84,435,454**	**-**	**-**	**-**	**-**	**-**	**$84,435,454**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

Case Support Services (f/k/a Non-Routine Expenses)

Executive Summary

Division	LAB/ACT	2021-23	2023-25 (ARB)	2025-27	2027-29
Case Support Services	LAB	43,663,533	59,500,619	64,082,167	68,952,412
	Actuals				

Program Overview:

Case Support Services (formerly Non-Routine Expenses (NRE)) provides timely pre-approval of "reasonable and necessary" expenses in support of public defense client cases.

Long Term Focus Areas

Ensure eligible clients have timely access and quality representation.

Primary Program Contact

Heather Pate – Contracts Manager

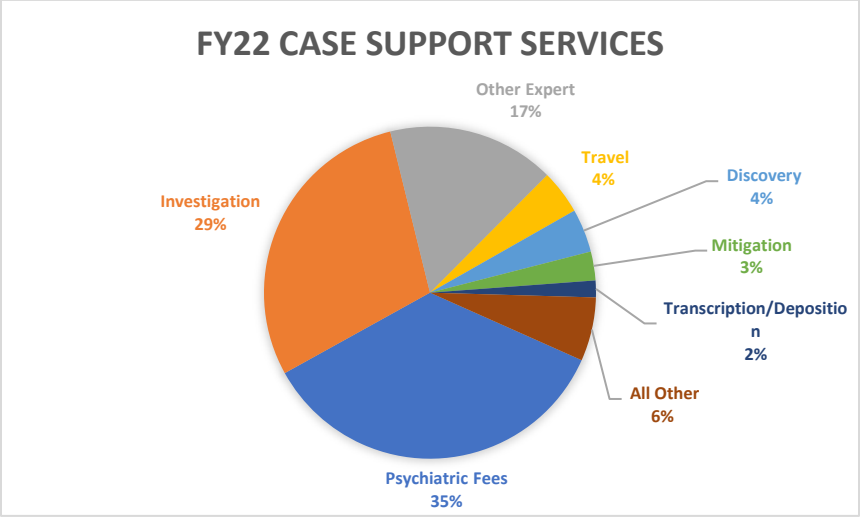
Amanda Deyerle-Onley - Team Lead

The following shows the amount of CSS expenditures by category for fiscal year 2022. Note that in the Agency Request Budget psychiatric fees have been moved to Court Mandated Expenses, which is reflected in package 081 as a transfer authorized by the June 2022 Emergency Board.

The chart on the following page reveals the amount of CSS expenditures by category for fiscal year 2022. Note that in the Agency Request Budget psychiatric fees have been moved to Court Mandated Expenses, which is reflected in package 081 as a transfer authorized by the June 2022 Emergency Board.

Case Support Services (f/k/a Non-Routine Expenses)

Executive Summary



Program Funding Request

Case Support Services	GF	OF	TF	POS	FTE
LAB 21-23	43,663,533		43,663,533	-	-
CSL 23-25	52,049,933		52,049,933	-	-
ARB 23-25	59,500,619		59,500,619	-	-
GB 23-25					
LAB 23-25					
Difference	15,837,086		15,837,086	-	-
Pct Change	36.3%		36.3%		

During the 2021 session, the Oregon Legislature passed HB 5030, which established the Public Defense Services Commission (PDSC) budget for the 2021-2023 biennium. HB 5030 contained a provision that held back $100 million of General Fund and placed it in a

special purpose appropriation (SPA), appropriated to the Emergency Board for PDSC. In June 2022, the Emergency Board released the SPA, and the request includes a proportionate amount for Case Support Services which was $14,554,511 for the 2021-23 biennium.

Program Description

Case Support Services (CSS) provides timely review and pre-approval of reasonable and necessary expenses that support public defense client's cases. These expenses can include:

- Investigation/Mitigation
- Psychologist, Psychiatrist and Other Mental Health Experts
- Drug and Alcohol Evaluations (ASAM)
- Scientific Evidence Analysis and Other Expert Services
- Discovery and Litigation Support

The CSS team works closely with the Trial Division in the pre-approval and determination that services requested are reasonable and necessary for the cases needing support.

CSS costs are driven by many factors as vendor costs are driven by market influences. Cases that need case support services are determined by individual attorneys based on the facts of each individual case. CSS costs may fluctuate as a function of law enforcement and prosecution practices and policies which impact pre-charge investigation and formal charging decisions.

With courts slowly getting back to a more normal workflow after the pandemic, additional resources are necessary to address the backlog of cases that would have normally moved through the court system during 2020 and 2021.

Case Support Services (f/k/a Non-Routine Expenses)

Executive Summary

Program Justification and link to Long Term Outcomes

CSS is linked to ORS 135.055(3) requiring PDCS to pay the cost of “reasonable and necessary” expenses for public defense cases. The public defense system strives to provide clients a constitutionally adequate defense, thus, allowing case supported services further the states’ efforts to provide marginalized and under-represented clients timely access to quality representation.

Program Performance

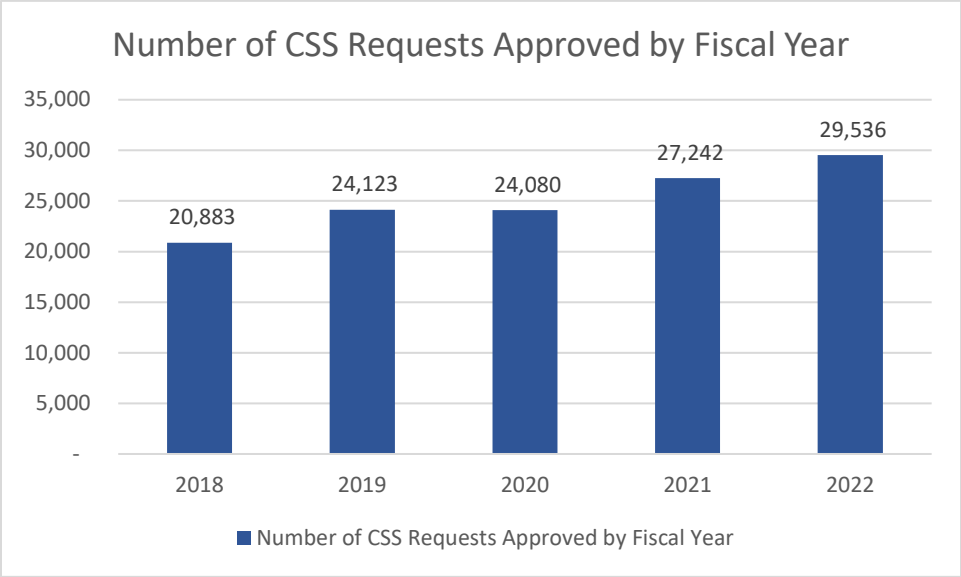
Current process measures include timely intake of CSS requests as well as timely processing of the request. The current process time for a provider to receive a pre-approval from the CSS team is 5 working days; unless the CSS has extenuating circumstances that need the approval of a CAP attorney, which can take extra time.

Case Support Services (f/k/a Non-Routine Expenses)

Executive Summary

The data below illustrates the number of requests for pre-approval of case supported services over the last 5 years. The number has increased by almost 10,000 individual requests over 5 years. The number of individual requests in 2020 was lower due to COVID-19 related court shut-downs.

Total number of CSS approved from Fiscal Years 2018 through 2022:

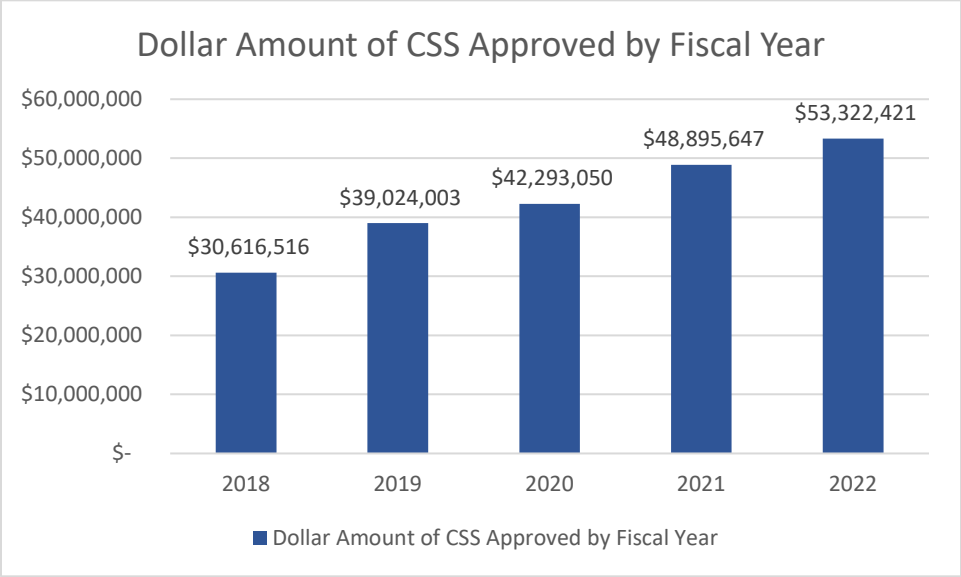


Case Support Services (f/k/a Non-Routine Expenses)

Executive Summary

The data below illustrates the dollar amount of CSS pre-approvals over the last 5 years. Note that approvals represent administrative work by the agency, but the amount eventually paid is less than pre-approvals. The amounts pre-approved increased at about the same rate per year from 2018-2022. The increasing dollar amount of pre-approval slowed down in 2020, again due to the impacts of COVID-19 on the court system.

Total CSS amounts approved 2018-2022:



Case Support Services (f/k/a Non-Routine Expenses)

Executive Summary

Enabling Legislation

Oregon Revised Statutes (ORS) 135.055(3) authorizes the commission to pay for “reasonable and necessary” court related expenses to adequately defend the client.

Funding Streams

The services provided by this division are paid for by the General Fund.

Funding Justification and Changes to CSL

The 2023-25 funding proposal advanced by the agency maintains the program at current service level.

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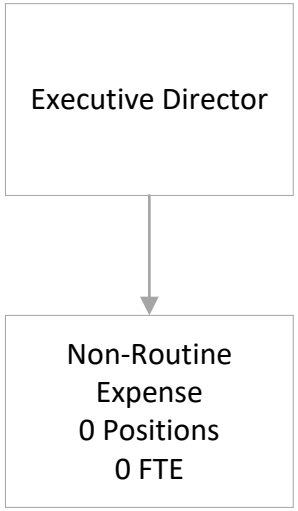
Non-Routine Expense

Organizational Chart

2023-2025 Agency Request Budget

0 Positions

0 FTE



Case Support Services (f/k/a Non-Routine Expenses)

Essential Packages

The essential packages present budget adjustments needed to bring the legislatively approved budget to current service level (CSL), the calculated cost of continuing legislatively approved programs into the 2023 – 25 biennium. The 2023 – 25 current service level is inclusive and only inclusive of the agency's 2023 – 25 base budget, a close derivative of the 2021 – 23 legislatively approved budget, and the essential packages, as defined in State of Oregon's biennial budget instructions.

Revenue Source

Essential packages in the Case Support Services Division increase the agency's General Fund budget by $8,386,400.

Staffing Impact

There is no staffing impact.

Package No.	Package No. Description	Fund	Amount
010	Non-PICS Personal Services Adjustments (Inflation, Vacancy Savings, etc.)	General	0
021	Program Phase-in (2021 – 23 Legislatively Adopted Packages)	General	0
022	Program Phase-out (2021 – 23 Program or Expiration of Limited Duration Positions)	General	0
031	Standard Inflation and DAS Budget Instructions Price List Adjustments	General	3,842,391
32	Above Standard Inflation (Medical or Analyst Approved Inflation)	General	0
033	Exceptional Inflation	General	0

Case Support Services (f/k/a Non-Routine Expenses)

Essential Packages

Package No.	Package No. Description	Fund	Amount
040	Mandated Caseload	General	4,544,009
050	Fund Shifts	General	0
060	Technical Adjustments	General	0
Total 2023 – 2025 Current Service Level Essential Packages		**General**	**8,386,400**
BASE	2023 – 2025 Base Budget	General	43,663,533
2023 – 2025 Current Service Level		**General**	**52,049,933**
081	June 2022 Emergency Board	General	7,450,686
2023 – 2025 Modified Current Service Level		**General**	**59,500,619**

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Non-Routine Expenses**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-425-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	3,842,391	-	-	-	-	-	3,842,391
Total Revenues	**$3,842,391**	**-**	**-**	**-**	**-**	**-**	**$3,842,391**
Services & Supplies							
Professional Services	3,842,391	-	-	-	-	-	3,842,391
Total Services & Supplies	**$3,842,391**	**-**	**-**	**-**	**-**	**-**	**$3,842,391**
Total Expenditures							
Total Expenditures	3,842,391	-	-	-	-	-	3,842,391
Total Expenditures	**$3,842,391**	**-**	**-**	**-**	**-**	**-**	**$3,842,391**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Non-Routine Expenses**

Pkg: 040 - Mandated Caseload | **NOT AUDITED** | **Cross Reference Number: 40400-425-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	4,544,009	-	-	-	-	-	4,544,009
Total Revenues	**$4,544,009**	**-**	**-**	**-**	**-**	**-**	**$4,544,009**
Services & Supplies							
Professional Services	4,544,009	-	-	-	-	-	4,544,009
Total Services & Supplies	**$4,544,009**	**-**	**-**	**-**	**-**	**-**	**$4,544,009**
Total Expenditures							
Total Expenditures	4,544,009	-	-	-	-	-	4,544,009
Total Expenditures	**$4,544,009**	**-**	**-**	**-**	**-**	**-**	**$4,544,009**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Non-Routine Expenses**

Pkg: 081 - June 2022 Emergency Board | **NOT AUDITED** | **Cross Reference Number: 40400-425-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	7,450,686	-	-	-	-	-	7,450,686
Total Revenues	**$7,450,686**	**-**	**-**	**-**	**-**	**-**	**$7,450,686**
Services & Supplies							
Professional Services	7,450,686	-	-	-	-	-	7,450,686
Total Services & Supplies	**$7,450,686**	**-**	**-**	**-**	**-**	**-**	**$7,450,686**
Total Expenditures							
Total Expenditures	7,450,686	-	-	-	-	-	7,450,686
Total Expenditures	**$7,450,686**	**-**	**-**	**-**	**-**	**-**	**$7,450,686**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

Court Mandated Expenses

Executive Summary

Division	LAB/ACT	2021-23	2023-25 (ARB)	2025-27	2027-29
Court Mandated Expenses	LAB	19,456,070	48,995,164	52,767,792	56,778,144
	Actuals				

Program Overview

The Court Mandated Expenses Division funds trial and appellate representation for the following (a) the provision of attorney services not funded through a normal provider contract; and (b) discovery, postage, photocopying, parking, mileage, basic interpreter services, and costs associated with obtaining certain types of records (up to $300). Court Mandated Expenses exclude contract payments and NRE/CSS Expenses.

The Court Mandated Expenses Division is subject to a mandated caseload and is to be budgeted based on anticipated caseload changes for state constitution or court actions.

Long Term Focus Areas

Ensure eligible clients have timely access and quality representation.

Primary Program Contact

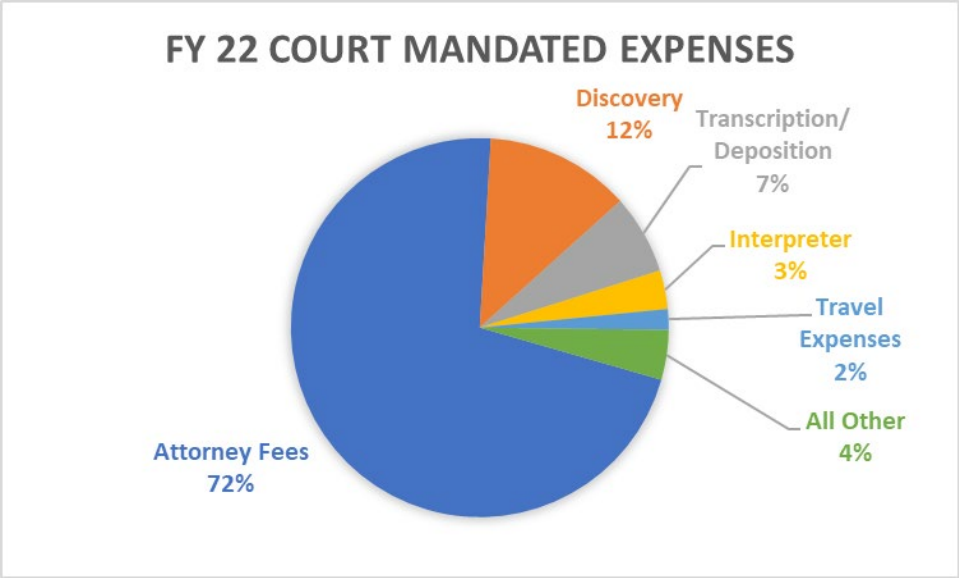
Laurie Bender, Chief Criminal Trial Counsel

Shannon Flowers, Chief Juvenile Trial Counsel

Court Mandated Expenses

Executive Summary

This chart illustrates the amount of Court Mandated Expense by category for fiscal year 2022. Note that the Agency Request Budget reflects an increase as several categories of expense are being moved to Court Mandated Expense budget category as transfers authorized by the June 2022 Emergency Board. The most notable expenses are psychiatric fees, which are being moved from Case Support Services.



Court Mandated Expenses

Executive Summary

Program Funding Request

Court Mandated Expenses	GF	OF	TF	POS	FTE
LAB 21-23	15,006,403	4,449,667	19,456,070	-	-
CSL 23-25	18,335,583	3,937,116	22,272,699	-	-
ARB 23-25	45,058,048	3,937,116	48,995,164	-	-
GB 23-25					
LAB 23-25					
Difference	30,051,645	(512,551)	29,539,094	-	-
Pct Change	200.3%	-11.5%	151.8%		

During the 2021 session, the Oregon Legislature passed HB 5030, which established the Public Defense Services Commission (PDSC) budget for the 2021-2023 biennium. HB 5030 contained a provision that held back $100 million of General Fund and placed it in a special purpose appropriation (SPA), appropriated to the Emergency Board for PDSC. In June 2022, the Emergency Board released the SPA, and the request includes a proportionate amount for Court Mandated Expense which was $5,002,135 for the 2021-23 biennium.

Program Description

The Court-Mandated Expenses Division is organized into the following sections: (1) Administration; (2) Appellate; (3) Trial Level; (4) Juvenile; and (5) the Application Contribution Program (ACP). Counsel funded through the Court-Mandated Expenses Division include (1) attorneys who serve on OPDS's criminal and juvenile appellate panels and are generally paid set rates to represent clients on direct appeal in criminal, juvenile dependency, termination-of-parental-rights, and juvenile delinquency cases and (2) attorneys who do not have a contract with the PDSC but nonetheless accept one or more court appointments due to conflicts and/or a lack of public defense provider capacity and are generally paid an hourly rate between $75 and $105 per hour, depending on the type of case. This funding is essential to ensure the appointment and payment of counsel for all individuals entitled to court-appointed counsel under state and federal law.

The Court-Mandated Expenses Division also funds discovery, postage, photocopying, parking, mileage, basic interpreter services and costs associated with obtaining certain types of records. Court Mandated Expenses exclude contract payments and NRE/CSS Expenses.

Program Justification and link to Long Term Outcomes

Court Mandated Expense division is linked to ORS 135.055(3) requiring PDCS to pay the cost of "reasonable and necessary" expenses for public defense cases. The public defense system strives to provide clients a constitutionally adequate defense, thus, allowing case supported services further the states' efforts to provide marginalized and under-represented clients timely access to quality representation.

Program Performance

Court Mandated Expenses are all the non-contract, non-case support service expenditures. Expenditures for the 2019-21 biennium were $47,654,547, up from $41,514,019 in the 2017-19 biennium. The Legislatively Adopted Budget for Court Mandated Expenses in 2021-23 is $39,567,492 although expenses in the category are currently expected to be more than $48 million. In 2021-23, the expenses are primarily for hourly attorneys (46%), psychiatric evaluations (40%), and transcription/deposition (6%).

Over the past decade, the budget and administration of the Court Mandated Expenses has grown. Prior to this last budget cycle, OPDS budget categories consisted of the Appellate Division, Contracts and Business Services, and the Professional Services Account, which was used to compensate all providers and routine and non-routine fees and expenses. Beginning in the 2019-21 biennium, the Professional Services Account is divided into separate divisions: (1) Trial Criminal Division; (2) Juvenile Division; (3) Non-Routine Expenses (NRE/CSS); (4) Court Mandated Expenses; and (5) Special Programs, Contracts & Distributions.

The non-contract attorney hourly rate has increased since 2013, with the current rate for assigned counsel ranging from $75.00 to $105.00 per hour. With the implementation of SB 578 (Guardianship or Conservatorship), the courts may order PDSC/OPDS to compensate counsel if the respondent has insufficient assets to retain counsel.

Non-Attorney fees for other providers such as paraprofessionals, interpreters (certified and qualified), and other routine expenses and fees (i.e., mileage lodging, per diem, discovery, copies and other out-of-pocket expenses) have also increased over time.

Court Mandated Expenses

Executive Summary

Enabling Legislation

ORS 135.055 is the governing authority regarding the fair compensation of court-appointed counsel and compensation for routine fees and expenses. Compensation payable to court-appointed attorneys and routine fees and expense incurred by appointed counsel is subject to the policies, procedures, standards, and guidelines adopted under ORS 151.216.

ORS 45.275(3)(c) and ORS 45.285(5)(c) require the PDSC to provide fair compensation for an interpreter whose services are necessary for communication between an attorney and client or witness in a criminal case.

Funding Streams

Funding for the Court-Mandated Expenses Division comes almost entirely from General Fund, with the Application Contribution Program providing a source of Other Funds.

For 2023-25 the General Fund portion of Court Mandated Expense, including the May 2022 E-Board actions, is expected to be $45,058,048, and the Other Funds sourced from the Application Contribution Program (ACP) is expected to total $3,937,116. Of the ACP revenue, $858,362 is expected to be used to offset General Fund expenses with the remainder being transferred to the Oregon Judicial Department (OJD). The ACP statutes authorize courts to order parties to pay all or a portion of administrative costs of determining eligibility for court-appointed counsel. Statute directs the payments to the Public Defense Services Account established by ORS 151.225. OPDS receives ACP Revenue from OJD after it is received from indigent clients receiving court appointed counsel. The amounts paid by clients are set by the judge and transfers are received by OPDS monthly. OPDS then pays OJD for a portion of county verification specialist expense.

Funding Justification and Changes to CSL

The 2023-25 funding proposal advanced by the agency maintains the program at current service level.

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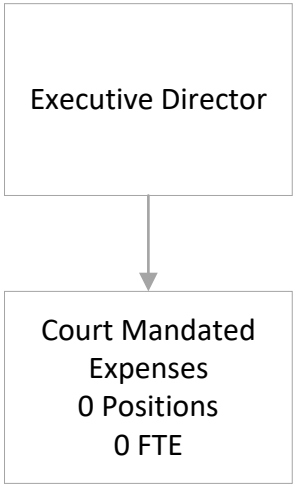
Court Mandated Expenses

Organizational Chart

2023-2025 Agency Request Budget

0 Positions 0 FTE



Court Mandated Expenses

Essential Packages

The essential packages present budget adjustments needed to bring the legislatively approved budget to current service level (CSL), the calculated cost of continuing legislatively approved programs into the 2023 – 25 biennium. The 2023 – 25 current service level is inclusive and only inclusive of the agency's 2023 – 25 base budget, a close derivative of the 2021 – 23 legislatively approved budget, and the essential packages, as defined in State of Oregon's biennial budget instructions.

Revenue Source

Essential packages in the Court Mandated Expenses division increase the agency's General Fund budget by $3,329,180 and reduce the agency's Other Fund budget by $512,551.

Staffing Impact

There is no staffing impact.

Package No.	Package No. Description	Fund	Amount
010	Non-PICS Personal Services Adjustments (Inflation, Vacancy Savings, etc.)	General	0
021	Program Phase-in (2021 – 23 Legislatively Adopted Packages)	General	0
022	Program Phase-out (2021 – 23 Program or Expiration of Limited Duration Positions)	Other	(512,551)
031	Standard Inflation and DAS Budget Instructions Price List Adjustments	General	1,320,564
032	Above Standard Inflation (Medical or Analyst Approved Inflation)	General	0

Court Mandated Expenses

Essential Packages

Package No.	Package No. Description	Fund	Amount
033	Exceptional Inflation	General	0
040	Mandated Caseload	General	2,008,616
050	Fund Shifts	General	0
060	Technical Adjustments	General	34,969,383
Total 2023 – 2025 Current Service Level Essential Packages		**General**	**3,329,180**
		Other	**(512,551)**
BASE	2023 – 2025 Base Budget	General	15,006,403
		Other	4,449,667
2023 – 2025 Current Service Level		**General**	**18,335,583**
		Other	**3,937,116**
081	June 2022 Emergency Board	General	26,722,465
2023 – 2025 Modified Current Service Level		**General**	**45,058,048**
		Other	**3,937,116**

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Court Mandated Expenses**

Pkg: 022 - Phase-out Pgm & One-time Costs | **NOT AUDITED** | **Cross Reference Number: 40400-450-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
Tsfr From Judicial Dept	-	-	(512,551)	-	-	-	(512,551)
Total Revenues	**-**	**-**	**($512,551)**	**-**	**-**	**-**	**($512,551)**
Special Payments							
Spc Pmt to Judicial Dept	-	-	(512,551)	-	-	-	(512,551)
Total Special Payments	**-**	**-**	**($512,551)**	**-**	**-**	**-**	**($512,551)**
Total Expenditures							
Total Expenditures	-	-	(512,551)	-	-	-	(512,551)
Total Expenditures	**-**	**-**	**($512,551)**	**-**	**-**	**-**	**($512,551)**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Court Mandated Expenses**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-450-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	1,320,564	-	-	-	-	-	1,320,564
Tsfr From Judicial Dept	-	-	-	-	-	-	-
Total Revenues	**$1,320,564**	**-**	**-**	**-**	**-**	**-**	**$1,320,564**
Services & Supplies							
Professional Services	1,320,564	-	-	-	-	-	1,320,564
Other Services and Supplies	-	-	-	-	-	-	-
Total Services & Supplies	**$1,320,564**	**-**	**-**	**-**	**-**	**-**	**$1,320,564**
Total Expenditures							
Total Expenditures	1,320,564	-	-	-	-	-	1,320,564
Total Expenditures	**$1,320,564**	**-**	**-**	**-**	**-**	**-**	**$1,320,564**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Court Mandated Expenses**

Pkg: 040 - Mandated Caseload | **NOT AUDITED** | **Cross Reference Number: 40400-450-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	2,008,616	-	-	-	-	-	2,008,616
Total Revenues	**$2,008,616**	**-**	**-**	**-**	**-**	**-**	**$2,008,616**
Services & Supplies							
Professional Services	2,008,616	-	-	-	-	-	2,008,616
Total Services & Supplies	**$2,008,616**	**-**	**-**	**-**	**-**	**-**	**$2,008,616**
Total Expenditures							
Total Expenditures	2,008,616	-	-	-	-	-	2,008,616
Total Expenditures	**$2,008,616**	**-**	**-**	**-**	**-**	**-**	**$2,008,616**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Court Mandated Expenses**

Pkg: 081 - June 2022 Emergency Board | **NOT AUDITED** | **Cross Reference Number: 40400-450-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	26,722,465	-	-	-	-	-	26,722,465
Total Revenues	**$26,722,465**	**-**	**-**	**-**	**-**	**-**	**$26,722,465**
Services & Supplies							
Professional Services	26,722,465	-	-	-	-	-	26,722,465
Total Services & Supplies	**$26,722,465**	**-**	**-**	**-**	**-**	**-**	**$26,722,465**
Total Expenditures							
Total Expenditures	26,722,465	-	-	-	-	-	26,722,465
Total Expenditures	**$26,722,465**	**-**	**-**	**-**	**-**	**-**	**$26,722,465**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

Juvenile Division

Executive Summary

Division	LAB/ACT	2021-23	2023-25 (ARB)	2025-27	2027-29
Juvenile	LAB	44,772,928	205,340,747	221,151,985	237,959,536
	Actuals				

Program Overview

The Juvenile Division provides for trial-level representation of financially eligible parents, children, and youth in juvenile dependency, termination-of-parental-rights, juvenile delinquency, and contested adoption cases. The Juvenile Division also provides guardians ad litem for parents whose rights the juvenile court determines need protection because they have a mental or physical disability that prevents them from understanding and/or assisting counsel in a dependency or termination-of-parental-rights case.

Long Term Focus Areas

Providing high-quality, zealous representation for indigent clients, specifically parents, children, and youth in juvenile court proceedings.

Primary Program Contact

Shannon Flowers, Chief Juvenile Trial Counsel

Juvenile Division

Executive Summary

Program Funding Request

Juvenile	GF	OF	TF	POS	FTE
LAB 21-23	30,772,928	14,000,000	44,772,928	1	0.50
CSL 23-25	68,682,556	14,000,000	82,682,556	1	1.00
ARB 23-25	191,340,747	14,000,000	205,340,747	1	1.00
GB 23-25					
LAB 23-25					
Difference	160,567,819	-	160,567,819	-	0.50
Pct Change	521.8%	0.0%	358.6%	0.0%	100.0%

2021-23 Special Purpose Appropriation

During the 2021 session, the Oregon Legislature passed HB 5030, which established the Public Defense Services Commission (PDSC) budget for the 2021-2023 biennium. HB 5030 contained a provision that held back $100 million of General Fund and placed it in a special purpose appropriation (SPA), appropriated to the Emergency Board for PDSC. In June 2022, the Emergency Board released the SPA, and the budget request includes a proportionate amount for Juvenile Division which was $10,192,365 for the 2021-23 biennium.

Consolidate Juvenile Representation

OPDS was also directed to move juvenile representation (delinquency and dependency) expenses into the Juvenile Division. About 18 percent of trial level representation (in counties not under the Parent Child Representation Program which was already in the Juvenile Division) costs were in contracts budgeted in the Trial Criminal Division. Accordingly, the current service level funding request for the Trial Criminal Division was reduced by $34,969,383 and is now requested in the Juvenile Division. In addition, a proportional share of the SPA (12,645,177) is included in the budget request through package 081 (E-Board actions) for Juvenile Division and transferred out of the Trial Criminal Division.

Juvenile Division

Executive Summary

Program Description

In Oregon, financially eligible parents are entitled have counsel appointed in juvenile dependency proceedings when the nature of the proceedings and due process so require, and financially eligible children are generally entitled to counsel in those proceedings. The general practice of juvenile courts is to appoint counsel for both parents and children. A financially eligible parent contesting an adoption is also entitled to court-appointed counsel at state expense. Similarly, youth in delinquency cases are entitled to court-appointed counsel at state expense, with no financial eligibility requirement. Finally, Oregon's juvenile code authorizes the juvenile court to appoint a guardian ad litem, who must either be an attorney or licensed mental health professional, for a parent whose rights the juvenile court determines need protection because they have a mental or physical disability that prevents them from understanding the nature of the proceeding and/or assisting counsel in a dependency or termination-of-parental-rights case.

The PDSC is responsible for compensating those attorneys appointed as counsel in juvenile court proceedings and contested adoption proceedings and attorneys and licensed mental health professionals appointed to serve as guardians ad litem for parents in dependency and termination-of-parental-rights proceedings. The PDSC satisfies that responsibility primarily by contracting with non-profit public defender offices, consortia, law firms, and solo practitioners to provide for court-appointed counsel in a variety of case types. Funding for those independent contractor attorneys who serve as court-appointed counsel or as guardians ad litem in juvenile court cases comes through OPDS's Juvenile Division, including through OPDS's Parent Child Representation Program (PCRP). The PCRP is an interdisciplinary model of legal representation, and its fundamental components are (1) reasonable caseloads and compensation for attorneys; (2) access to social work case managers to serve as part of the legal team; and (3) enhanced support and oversight by OPDS. These components help ensure that attorneys have adequate time and resources to spend on their clients and cases and that clients' needs are served both in and out of court. The PCRP has been implemented in ten counties: Benton (2020), Clatsop (2020), Columbia (2016), Coos (2018), Douglas (2020), Lincoln (2018), Linn (2014), Multnomah (2020), Polk (2020), and Yamhill (2014).

OPDS's ability to provide competent, zealous legal representation for indigent parents, children, and youth in juvenile court proceedings is inhibited by the independent contractor model currently employed to provide that representation. As with any independent contractor relationship, OPDS cannot direct the work of attorneys providing legal representation and has limited ability to ensure transparency and accountability in the provision of public defense services. Moving to a model in which at least some of the legal representation for parents, children, and youth involved in juvenile court proceedings is provided by OPDS employees subject to OPDS's direct supervision would likely lead to improvements in representation in juvenile court proceedings and increased transparency and accountability.

Program Justification and link to Long Term Outcomes

Legal Representation in Juvenile Dependency and Termination-of-Parental-Rights Cases

The United States Supreme Court has held that parents have a fundamental liberty interest in the "care, custody, and management of their children" that is protected by the Due Process Clause of the Fourteenth Amendment to the United States Constitution. *Santosky v. Kramer*, 455 US 745, 753-54 (1982). The Supreme Court has further held that due process does not require the appointment of counsel for every parent subject to a petition to terminate their parental rights but instead left "the decision whether due process calls for the appointment of counsel for indigent parents in termination proceedings to be answered in the first instance by the trial court, subject, of course, to appellate review." *Lassiter v. Dept. of Social Services*, 452 US 18, 31-32 (1981). And, although the United States Supreme Court has not addressed whether children have a similar right to counsel in juvenile dependency proceedings, the United States Ninth Circuit Court of Appeals has held that children have a "constitutional interest in familial companionship and society" similar to that of parents. *Smith v. City of Fontana*, 818 F2d 1411, 1418 (9th Cir 1987), *overruled on other grounds by Hodgers-Durgin v. de la Vina*, 199 F3d 1037 (9th Cir 1999). Oregon's statutes require the appointment of counsel generally for financially eligible children and for financially eligible parents when the nature of the proceedings and due process so require. The general practice of juvenile courts is to appoint counsel for both parents and children.

Like many states, Oregon has long sought to reduce the number of children who enter foster care, to reduce the amount of time a child who enters foster care remains in the state's care, and to achieve permanency for children in as timely a fashion as possible. Research has demonstrated that providing legal representation for parents and children facing potential or actual juvenile court proceedings reduces entry into the foster care system and the amount of time children remain in foster care. The Justice in Government Project, *Key Studies ad Data About How Legal Aid Helps Keep Family Together and Out of the Child Welfare System* (Mar 23, 2021), *available at* https://legalaidresourcesdotorg.files.wordpress.com/2021/04/foster-care.pdf#

The Children's Bureau, part of the U.S. Department of Health and Human Services, has recognized the importance of high-quality legal representation in helping ensure a well-functioning child welfare system. Given the profound decisions juvenile courts must make regarding a family, it is critical that courts receive the most accurate and complete information necessary for judicial decision-making and that the parties' rights are protected, which is best achieved when all parties to a juvenile dependency case are represented. Moreover, evidence suggests that providing counsel for parents, children, and youth contributes to or is associated with:

- Increase perceptions of fairness;
- increased engagement in case planning, services and court hearings;
- more personally tailored and specific case plans and services;
- increased visitation and parenting time;
- expedited permanency; and
- cost savings to state government due to reductions of time children and youth spend in care.

Children's Bureau, Administration for Children & Families, *High Quality Legal Representation for All Parties in Child Welfare Proceedings (Information Memorandum)*, 1-2 (Jan 17, 2017), *available at* https://www.acf.hhs.gov/sites/default/files/documents/cb/im1702.pdf.

Legal Representation in Juvenile Delinquency Cases

The United States Supreme Court held in *In Re Gault*, 387 U.S. 1 (1967) that children have a constitutional right to counsel when they are subject to a juvenile delinquency petition. Oregon statutes codify this right and require that the court must appoint counsel to represent a youth at all stages of a proceeding where the offense alleged in the petition is classified as a crime; at any proceeding concerning an order or probation; and in any case where the youth would be entitled to appointed counsel if the youth was an adult charged with the same offense. Statutes further allow the court to appoint counsel in any other proceeding within the jurisdiction of the juvenile court. Finally, statutes prohibit the court from accepting a waiver of counsel from a youth except in very limited and narrow circumstances.

Access to counsel is essential to due process. Treating youth fairly and ensuring that they perceive that they have been treated fairly and with dignity contribute to the positive outcomes in the normal process of social learning, moral development, and legal socialization during adolescence. Research indicates that when adolescents feel that the system has treated them fairly, they are more likely to accept responsibility for their actions and embrace prosocial activities. Fairness in a legal proceeding is evaluated by opportunity for voice, validation, participation, choice, accuracy of outcomes and access to information. Meaningful participation in the legal process

not only allows the adolescent to feel like a valued member of society whose opinion is worthy of consideration, but also allows him or her to influence the judge's final decision and provides more confidence in the accuracy and legitimacy of the outcomes. Access to competent, well-trained, and effective counsel allows adolescents alleged to have committed a delinquent act these opportunities

National Academy of Sciences, *Reforming Juvenile Justice: A Developmental Approach,* (2013), *available at* http://www.nap.edu/catalog.php?record_id=14685.

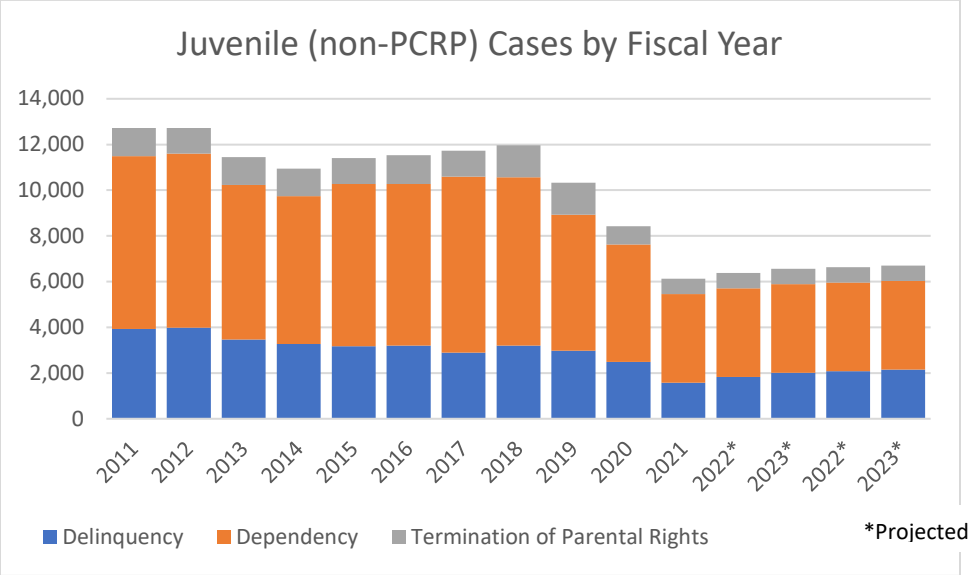
Attorneys defending youth in delinquency proceedings require additional knowledge beyond that needed to represent adults charged with crimes, such as knowledge of the science of adolescent development, collateral consequences of juvenile court proceedings, and other child-specific systems, such as schools, that may impact or be affected by delinquency proceedings. The National Juvenile Defender Center (NJDC) studied Oregon's access to and quality of juvenile defense in 2020. NJDC found, among other things, that Oregon's system does not have the structure to provide oversight or enforcement to ensure quality representation for youth, has a pay structure and contracting system that does not support defenders specializing in a delinquency caseload, and has no comprehensive guidance for procedure in delinquency cases increasing the risk of inequity. Further, it found that justice and fairness is often dependent on what jurisdiction and even what courtroom a case ends up in.

National Juvenile Defender Center, Advancing Youth Justice, An Assessment of Access to and Quality of Juvenile Defense in Oregon (August 2020), available at: https://njdc.info/wp-content/uploads/Oregon-Assessment-Web.pdf

Program Performance

The Oregon Legislature created PDSC in 2001, and the agency assumed responsibility for public defense services in 2003. The governing statutes are contained in Oregon Revised Statutes, Chapter 151.

The chart on the following page shows the total number of non-PCRP Juvenile cases reported by OPDS contracted attorneys each year through Fiscal Year 2021, and the projected cases for fiscal years 2022 through 2025.



The pandemic resulted in court operations slowing substantially in 2020 and reduced some types of cases. Case numbers for non-PCRP cases have also been reduced by the rollout of PCRP, which rolled out in Multnomah County in July 2020 and four more counties in January 2021. Other changes in Oregon law, including Ballot Measure 110 passed in 2020, have also reduced case numbers.

Enabling Legislation

Dependency Cases

ORS 419B.195 requires appointment of counsel for financially eligible children in juvenile dependency cases.

ORS 419B.205(1) requires appointment of counsel for financially eligible parents in juvenile dependency cases "whenever the nature of the proceedings and due process so require."

ORS 135.055(1)(b), ORS 419B.201, and ORS 419B.208 require OPDS to pay court-appointed counsel "fair compensation" in dependency cases.

Termination-of-Parental-Rights Cases

ORS 419B.518(1) requires appointment of counsel for financially eligible parents in termination-of-parental-rights cases and for OPDS to provide "fair compensation" for that counsel, through ORS 135.055(1)(b).

Delinquency Cases

ORS 419C.200(1)(a)(A)-(C) require appointment of counsel for a youth at all stages of a delinquency if the offense alleged in the petition is classified as a crime; at any proceeding concerning an order of probation; and in any case in which the youth would be entitled to appointed counsel if they were an adult charged with the same offense.

ORS 419C.200(1)(a)(D) authorizes the court to appoint counsel for a youth in any other proceeding to determine whether the youth is within the juvenile court's jurisdiction pursuant to ORS 419C.005.

ORS 419C.245(1) extends a youth's right to court-appointed counsel at state expense to circumstances in which it is proposed that the youth enter into a formal accountability agreement with the juvenile department.

ORS 135.055(1)(b) and ORS 419C.206 require OPDS to pay court-appointed counsel for youth "fair compensation."

Contested Adoption Cases

ORS 109.333(4) requires appointment of counsel for financially eligible parents in contested adoption cases and for OPDS to provide "fair compensation" for that counsel, through ORS 135.055(1)(b).

Guardians Ad Litem in Dependency & Termination-of-Parental-Rights Cases

ORS 419B.231 authorizes the juvenile court to appoint a guardian ad litem for a parent who, due to a mental or physical disability, "lacks substantial capacity either to understand the nature and consequences of the proceeding or to give direction and assistance to the parent's attorney on decisions the parent must make in the proceeding, to protect that parent's rights in the proceeding during the period of the parent's disability or impairment.

ORS 419B.237(3) requires the PDSC to compensate a guardian ad litem for the duties they perform in the juvenile case.

Funding Streams

Funding for legal representation of parents, children, and youth in juvenile court proceedings, for legal representation for parents in contested adoption proceedings, and for guardians ad litem for parents in juvenile court proceedings comes from General Fund and from Other Funds sourced from Title IV-E Federal Funds. In 2019, the federal government revised its policies to allow states to receive Title IV-E funds for a portion of the administrative costs associated with legal representation of children and parents in foster care proceedings, as well as a portion of the costs for training. OPDS receives Title IV-E funds from the Oregon Department of Human Services (ODHS), pursuant to a Memorandum of Understanding between OPDS and ODHS and quarterly claims that OPDS submits to ODHS.

Funding Justification and Changes to CSL

The following Policy Option Packages impact the Juvenile Division and are described elsewhere.

- Policy Package 101 – Provider Compensation
- Policy Package 102 – Provider Staffing
- Policy Package 103 – Expansion of PCRP
- Policy Package 112 – Mandated Caseload for Juvenile
- Policy Package 113 – Capacity Expansion

[This page intentionally left blank. Organization chart follows.]

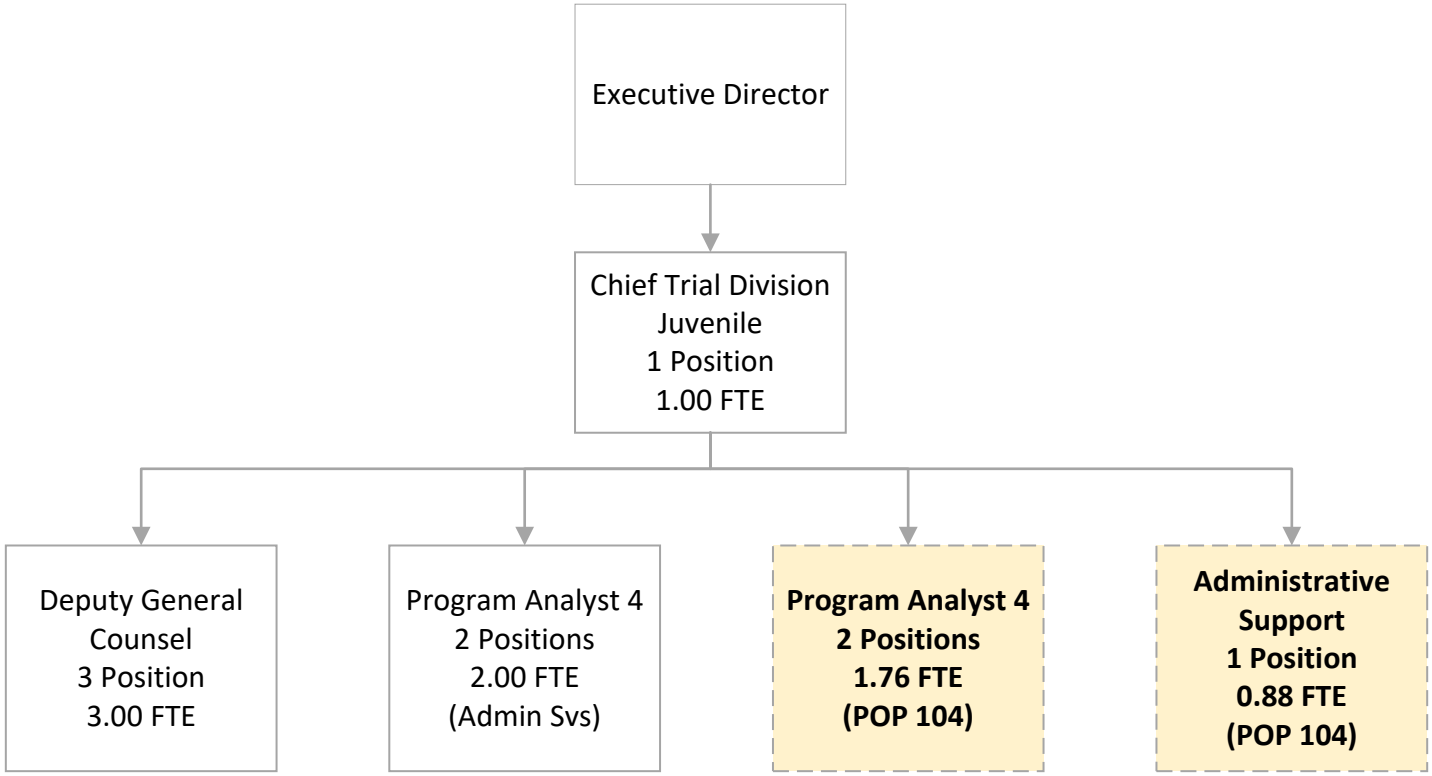
Juvenile Division

Organizational Chart

2023-2025 Agency Request Budget

9 Positions

8.64 FTE



Juvenile Division

Essential Packages

The essential packages present budget adjustments needed to bring the legislatively approved budget to current service level (CSL), the calculated cost of continuing legislatively approved programs into the 2023 – 25 biennium. The 2023 – 25 current service level is inclusive and only inclusive of the agency's 2023 – 25 base budget, a close derivative of the 2021 – 23 legislatively approved budget, and the essential packages, as defined in State of Oregon's biennial budget instructions.

Revenue Source

Essential packages in the Juvenile division increase the agency's General Fund budget by $37,692,822

Staffing Impact

There is no staffing impact.

Package No.	Package No. Description	Fund	Amount
010	Non-PICS Personal Services Adjustments (Inflation, Vacancy Savings, etc.)	General	16,873
021	Program Phase-in (2021 – 23 Legislatively Adopted Packages)	General	15,195
022	Program Phase-out (2021 – 23 Program or Expiration of Limited Duration Positions)	General	0
031	Standard Inflation and DAS Budget Instructions Price List Adjustments	General	2,691,371
032	Above Standard Inflation (Medical or Analyst Approved Inflation)	General	0
033	Exceptional Inflation	General	0

Juvenile Division

Essential Packages

Package No.	Package No. Description	Fund	Amount
040	Mandated Caseload	General	0
050	Fund Shifts	General	0
060	Technical Adjustments	General	34,969,383
Total 2023 – 2025 Current Service Level Essential Packages		**General**	**37,692,822**
BASE	2023 – 2025 Base Budget	General	30,989,734
		Other	14,000,000
2023 – 2025 Current Service Level		**General**	**68,682,556**
		Other	**14,000,000**

What would this policy option package do and how would it be implemented? PDSC/OPDS will implement a competitive pay structure for all contract entities. This pay structure will be introduced as a comparative structure to how the state currently compensates defenders and senior defenders in OPDS appellate division and with assistant attorney general and senior assistant attorney general positions in the Department of Justice.

Why does the PDSC propose this POP? PDSC faces many challenges in its efforts to provide high quality public defense services but creating and implementing a sustainable system remains the greatest challenge. Low rates of pay for both contract and non-contract attorneys make it difficult for the providers to maintain manageable caseloads/workloads and to discharge their ethical and constitutional duties and obligations to the client. In both rural and urban jurisdictions, providers struggle to recruit and retain attorneys due to the comparatively low pay and the increasing student debt burdening the newer attorneys. Newer attorneys who have taken positions in public defender offices leave once they have gained experience in order to avoid low pay and high caseloads. These challenges are exacerbated by the lack of supervision and training and/or mentoring, limited investigation, case management and other resources to support and ensure competent client-centered representation.

While increased funding will not fix all the problems with the current delivery of public defense services, attorney salary and resource parity with the prosecution is critical to addressing the escalating number of attorneys leaving public defense, improving the current public defense delivery model, and promoting and maintaining a fair and just criminal justice system. The public defense system must be adequately resourced to participate as equals in Oregon's criminal justice system.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? The PDSC's mission to "improve quality representation and to improve systemic efficiencies" is completely aligned with the agency's overall strategic plan, which continues to build on past planning efforts and accomplishments and is aligned with the current rollout of the Compliance, Audit & Performance (CAP) Division of the Office of Public Defense Services (OPDS).

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? Attorneys with OPDS contracts are required to adhere to national and state-specific state practice standards and ethical rules to ensure that indigent defendants have access to high-quality representation. OPDS collects data from attorney providers that include case and client information for each attorney's court appointments, open caseload and activity time, and maintains an attorney qualification database. OPDS data, along with Oregon Justice Department data, is utilized to monitor the qualification (and performance) of attorneys, and to monitor open caseload and workload. Both quantitative and qualitative data can be used to evaluate whether

attorneys are meeting the required standards, and to identify individuals or practice areas where additional training and supervision would be beneficial.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No

What alternatives were considered and what were the reasons for rejecting them? PDSC has accomplished several improvements to the public defense delivery model. In 2019, the Sixth Amendment Center evaluated Oregon's trial level public defense representation provided through OPDS. As a result of this evaluation, PDSC made significant changes to the contract terms, including adopting a fulltime employment-equivalent (FTE) caseload standard and established a rural/non-rural standard payment scale for those caseloads. In 2022, OPDS made further improvements to the criminal and non-PCRP juvenile contracts by implementing a uniform tiered reimbursement structure which is tied to the experience level of the attorney. OPDS lowered the caseloads standards and provided greater clarity and definition around maximum caseloads and weighting factors. The tiered reimbursement structure adopted by PDSC provided a more uniform and fair approach to attorney compensation in both rural and non-rural jurisdictions. Overall attorney compensation increased for more experienced contract attorneys; however, the agency was unable to fund for attorney supervision and training, certified law students, and other necessary staff and resources to reduce caseloads and improve the quality of representation. The adopted increase in attorney salary compensation included funding for salary, a benefit load of 36%, a fixed amount for a .50 support staff and overhead costs (which varied between the rural and non-rural jurisdictions). The tiered reimbursement structure resulted in an overall 5% increase in compensation, however this increase is well below the current rate of inflation.

What would be the adverse effects of not funding this POP? A functioning adversarial legal system requires two adequately resourced opposing sides. A decision to continue to underfund indigent defense, to ignore defender-prosecutor salary disparity, will lead to greater injustices to individual people accused of crimes and a more broken criminal justice system.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? PDSC/OPDS is collaborating with the Legislative Workgroup on Public Defense and the provider community, including not-for-profit public defenders, consortia members, individual law firms and non-contract private bar members.

What is your equity analysis? Public defenders serve those who suffer the most from the injustices of our system. Currently, as evidenced by a backlog of unrepresented clients, public defense offices and consortia do not have adequate funding to provide appropriate compensation to experienced, qualified attorneys doing this important work. The inability to recruit and retain qualified counsel due to the inadequate funding and salary disparity between prosecutors and defenders has a detrimental effect on the quality of representation. Moreover, the chronic underinvestment in public defense services in Oregon is a racial justice issue of highest importance. Racism pervades every stage of the criminal justice system, as is apparent from empirical evidence demonstrating the disproportionate number of people of color who are stopped, arrested, charged and incarcerated. The defender-prosecutor salary disparity reflects a failure in our society to value the work done on behalf of the poor and disadvantaged.

What assumptions affect the pricing of this POP? Legislative approval of an expansion in indigent defense funding will be necessary to fund this policy package. The current budget for indigent defense funding is grossly inadequate and represents years of policy decisions that have resulted in a chronic underfunding of the public defense system and growing disparity between prosecutors and defenders.

Implementation Date(s): July 1, 2023.

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** PDSC will function and provide oversight pursuant to legislative mandate.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** None.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** Indigent defense funding directly impacts the quality of representation provided in the state.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** Internally, there would be no additional staff needed to implement this policy package. As the CAP Division matures and its Research and Data Division identifies system improvements, additional staff may be needed to implement new programs and services.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** None.

f. **What are the ongoing costs?** Ongoing costs for indigent defense funding include budgets for other services and programs implemented and managed by OPDS, including the Appellate Division, Case Support Services, Court-Mandated Expense and Special Programs. If this package is adopted and included in the PDSC 2025-27 base budget, the total cost in Trial Criminal and Juvenile Divisions would be $37,892,895.

g. **What are the potential savings?** None.

What would this policy option package do and how would it be implemented? PDSC/OPDS will implement a competitive pay structure for all contract entities. This pay structure will be introduced as a comparative structure to how the state currently compensates defenders and senior defenders in OPDS and with assistant attorney general and senior assistant attorney general positions in the Department of Justice. Policy Package 102 is a continuation of Policy Package 101. In addition to creating parity at the attorney compensation level, it takes the next step by providing a menu of options to provide funding for support staffing, supervision, training and administrative costs.

Why does the PDSC propose this POP? PDSC faces many challenges in its efforts to provide high quality public defense services but creating and implementing a sustainable system remains the greatest challenge. Low rates of pay for both contact and non-contract attorneys make it difficult for the providers to maintain manageable caseloads/workloads and to discharge their ethical and constitutional duties and obligations to the client. In both rural and urban jurisdictions, providers struggle to recruit and retain attorneys due to the comparatively low pay and the increasing student debt burdening the newer attorneys. Newer attorneys who have taken positions in public defender offices leave once they have gained experience in order to avoid low pay and high caseloads. These challenges are exacerbated by the lack of supervision and training and/or mentoring, limited investigation, case management and other resources to support and ensure competent client-centered representation. The importance of support staff, investigators, case managers and social workers cannot be overstated. By funding these critical positions in a non-profit PD office or consortium, the attorney workload will be reduced, and case outcomes improved.

While increased funding will not fix all the problems with the current delivery of public defense services, attorney salary and resource parity with the prosecution is critical to promoting and maintaining a fair and just criminal justice system. The public defense system must be adequately resourced to participate as equals in Oregon's criminal justice system.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? The PDSC's mission to "improve quality representation and to improve systemic efficiencies" is completely aligned with the agency's overall strategic plan, which continues to build on past planning efforts and accomplishments and is aligned with the current rollout of the Compliance, Audit & Performance (CAP) Division of the Office of Public Defense Services (OPDS).

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? Attorneys with OPDS contracts are required to adhere to national and state-specific state practice standards and ethical rules to ensure that indigent defendants have access to high-quality representation. OPDS collects data from attorney

providers that include case and client information for each attorney's court appointments, open caseload and activity time, and maintains an attorney qualification database. OPDS data, along with Oregon Justice Department data, is utilized to monitor the qualification (and performance) of attorneys, and to monitor open caseload and workload. Both quantitative and qualitative data can be used to evaluate whether attorneys are meeting the required standards, and to identify individuals or practice areas where additional training and supervision would be beneficial.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No.

What alternatives were considered and what were the reasons for rejecting them? PDSC has accomplished several improvements to the public defense delivery model. In 2019, the Sixth Amendment Center evaluated Oregon's trial level public defense representation provided through OPDS. As a result of this evaluation, PDSC made significant changes to the contract terms, including adopting a fulltime employment-equivalent (FTE) caseload standard and established a rural/non-rural standard payment scale for those caseloads. In 2022, OPDS made further improvements to the criminal and non-PCRP juvenile contracts by implementing a uniform tiered reimbursement structure which is tied to the experience level of the attorney. OPDS lowered the caseloads standards and provided greater clarity and definition around maximum caseloads and weighting factors. The tiered reimbursement structure adopted by PDSC provided a more uniform and fair approach to attorney compensation in both rural and non-rural jurisdictions. Overall attorney compensation increased for more experienced contract attorneys; however, the agency was unable to fund for attorney supervision and training, certified law students, and other necessary staff and resources to reduce caseloads and improve the quality of representation. The adopted increase in attorney salary compensation included funding for salary, a benefit load of 36%, a fixed amount for a .50 support staff and overhead costs (which varied between the rural and non-rural jurisdictions). The tiered reimbursement structure resulted in an overall 5% increase in compensation, however this increase is well below the current rate of inflation.

What would be the adverse effects of not funding this POP? A functioning adversarial legal system requires two adequately resourced opposing sides. A decision to continue to underfund indigent defense, to ignore defender-prosecutor salary disparity, will lead to greater injustices to individual people accused of crimes and a more broken criminal justice system.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? PDSC/OPDS is collaborating with the Legislative Workgroup on Public Defense and the provider community, including not-for-profit public defenders, consortia members, individual law firms and non-contract private bar members.

What is your equity analysis? Public defenders serve those who suffer the most from the injustices of our system. Currently, as evidenced by a backlog of unrepresented clients, public defense offices and consortia do not have adequate funding to provide appropriate compensation to experienced, qualified attorneys doing this important work. The inability to recruit and retain qualified counsel due to the inadequate funding and salary disparity between prosecutors and defenders has a detrimental effect on the quality of representation. Moreover, the chronic underinvestment in public defense services in Oregon is a racial justice issue of highest importance. Racism pervades every stage of the criminal justice system, as is apparent from empirical evidence demonstrating the disproportionate number of people of color who are stopped, arrested, charged and incarcerated. The defender-prosecutor salary disparity reflects a failure in our society to value the work done on behalf of the poor and disadvantaged.

What assumptions affect the pricing of this POP? Legislative approval of an expansion in indigent defense funding will be necessary to fund this policy package. The current budget for indigent defense funding is grossly inadequate and represents years of policy decisions that have resulted in a chronic underfunding of the public defense system and growing disparity between prosecutors and defenders.

Implementation Date(s): July 1, 2023

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** PDSC will function and provide oversight pursuant to legislative mandate.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected?** None.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** Indigent defense funding directly impacts the quality of representation provided in the state.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or**

temporary. Internally, there would be no additional staff needed to implement this policy package. As the CAP Division matures and its Research and Data Division identifies system improvements, additional staff may be needed to implement new programs and services.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** None.

f. **What are the ongoing costs?** Ongoing costs for indigent defense funding include budgets for other services and programs implemented and managed by OPDS, including the Appellate Division, Case Support Services, Court-Mandated Expense and Special Programs. If this package is adopted and included in the PDSC 2025-27 base budget, the total cost in Trial Criminal and Juvenile Divisions would be $141,448,956.

g. **What are the potential savings?** There are no savings.

What would this policy option package do and how would it be implemented?

Why does the PDSC propose this POP? The Parent Child Representation Program is a multidisciplinary model of legal representation for parents, children, and youth in juvenile court proceedings (both dependency and delinquency). Its key components include:

- Reasonable caseloads that make it possible for attorneys to have frequent contact with clients, conduct independent investigations, and advocate in and out of court at every stage of the juvenile court case;
- Inclusion of social work case managers as part of the legal representation team in 10% to 15% of cases;
- Enhanced oversight and accountability; and
- Training and program support.

The Public Defense Services Commission (PDSC) launched the PCRP in August 2014 as a pilot program in Linn County and Yamhill County. Thereafter, in 2015, the Oregon legislature established the Task Force on Legal Representation in Childhood Dependency to "recommend models for legal representation in juvenile court proceedings" that would, among other things, "improve outcomes for children and parents served by the child welfare system." SB 222 (2015). After reviewing various models of representation, academic literature, and recommendations of national standard-setting agencies, the Task Force determined that attributes of models that provide high quality legal representation include:

- Sufficient time for attorneys to meet the needs of clients, the court, and other stakeholders;
- Consistent standards-based competent representation, with accountability and quality assurance measures;
- Manageable caseloads with sufficient time and resources for attorneys to prepare for and provide strong advocacy in and out of court;
- Improved outcomes for children and families;
- Multidisciplinary representation in which attorneys have access to investigators, experts, case managers, and peer mentors; and
- Provision of legal representation that is both cost-effective in protecting the rights of children and parents and cost-efficient in leveraging economies of scale, process efficiencies, and technological advances, as well as decreasing unnecessary transaction costs.

Report of the Oregon Task Force on Dependency Representation (Task Force Report) at 20 (July 2016).

Guided by an understanding of those attributes, the Task Force ultimately recommended expanding the PCRP to all counties in Oregon. Task Force Report at 21.

The PCRP has been implemented in ten counties, as follows:

August 2014
Linn County
Yamhill County

January 2016
Columbia County

October 2018
Coos County
Lincoln County

July 2020
Multnomah County

January 2021
Benton County
Clatsop County
Douglas County
Polk County

This package is intended to provide for high-quality legal representation for parents, children, and youth in juvenile court proceedings consistent with the Task Force's recommendations.

Based on reports from providers, the presence of the PCRP in neighboring jurisdictions has caused/exacerbated problems with recruitment and retention in counties where PCRP has not yet been implemented due to inequities in workload and services available

in PCRP versus non-PCRP jurisdictions. This proposal would also help ensure the equitable delivery of legal services to indigent clients involved in juvenile court proceedings.

This package would pay for:

- the difference between providing legal representation in juvenile court proceedings under the PDSC's standard caseload contracting model, in which attorneys are contracted to take a specified number of cases annually, to a workload model in which each attorney's open caseload is capped to ensure a reasonable caseload; and
- the cost of contracting to provide for the services of social work case managers and for additional case manager administrators to provide training, support, and oversight for the case managers.

The PDSC would implement the PCRP in additional counties in a phased approach, as follows:

July 2023
Clackamas County 6%
Lane County 9%
Jackson County 7%

January 2024
Umatilla/Morrow Counties 4%
Grant/Harney Counties 1%
Malheur County 3%
Baker County 1%
Union/Wallowa Counties 1%

July 2024
Washington County 7%
Tillamook County 1%
Marion County 9%

January 2025
Klamath/Lake Counties 2%
Josephine County 2%
Curry County 1%

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? The PDSC's primary function is to provide competent and zealous legal representation for indigent clients who are entitled to counsel at state expense. As the Task Force on Dependency Representation determined, the PCRP's multidisciplinary model supports high quality legal representation and leads to improved outcomes for children and families.

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? Yes, one of the KPMs on which the PDSC reports to the legislature is the percentage of attorneys practicing in jurisdictions with PCRP who report spending one-third of their time with parent clients and child clients who have decision-making capacity. The PCRP attorneys report monthly to the PDSC/OPDS regarding their open cases and the activities performed related to each case and client. The PDSC will evaluate program success based on time spent with clients, use of case managers, the rate of removals, rate of reunifications, and the average time to achieve permanency for children.

The long-term desired outcomes include attorneys having sufficient time and resources to dedicate to each client and case, reduced use of foster care and other out-of-home placements, increased reunification of children and their families, and timely achieving permanency for children.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No.

W**hat would be the adverse effects of not funding this POP?** Attorneys representing parents, children, and youth in juvenile court proceedings in the 26 Oregon counties in which the PCRP has not been implemented will continue to lack access to multidisciplinary representation and be subject to workloads that leave them overburdened and challenged to have sufficient time to spend with clients and on preparation and advocacy on their behalf. This inequitable treatment exacerbates attorney burnout and recruitment and retention problems and leads to an insufficient number of attorneys to provide legal representation for parents, children, and youth.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? None, although the PCRP has broad support from various stakeholders including the Oregon Judicial Department, the Oregon Department of Human Services, the Oregon Department of Justice, and Court Appointed Special Advocates (CASA).

What is your equity analysis?

What assumptions affect the pricing of this POP? The timing and order of phasing in the PCRP in particular counties affects the pricing for 2023-25.

Implementation Date(s): July 1, 2023

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** This package would not require new responsibilities for the PDSC but would expand existing responsibilities related to program management, oversight of attorney providers, providing for and managing social work case managers, and stakeholder engagement.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.**

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** Currently, attorneys in non-PCRP jurisdictions contract to annually accept a certain number of court appointments to represent clients, based on case type. Implementing the PCRP in additional counties would necessarily result in lower caseloads for each juvenile attorney in the given jurisdiction, as the PCRP caps attorney caseloads to ensure workloads that allow attorneys to dedicate sufficient time to clients and advocacy on their behalf.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.**

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** None.

f. **What are the ongoing costs?** If this package is adopted and included in the PDSC 2025-27 base budget, the total cost would be $34,983,086.

g. **What are the potential savings?** The are no savings associated with this package, however the increased level of representation is of the utmost concern.

What would this policy option package do and how would it be implemented? OPDS seeks to have the legislature designate legal representation in juvenile delinquency, juvenile dependency, and termination-of-parental-rights cases as a mandated caseload, that is, representation required by the state or federal constitutions or statutes or as a result of court actions.

Why does the PDSC propose this POP? As set forth below, representation in all juvenile court proceedings constitutes a mandated caseload.

Juvenile Delinquency

The United States Supreme Court held in *In Re Gault*, 387 U.S. 1 (1967) that children have a constitutional right to counsel when they are subject to a juvenile delinquency petition. ORS 419C.200 codifies this right and requires that the court must appoint counsel to represent a youth at all stages of a proceeding where the offense alleged in the petition is classified as a crime; at any proceeding concerning an order or probation; and in any case where the youth would be entitled to appointed counsel if the youth was an adult charged with the same offense. ORS 419C.200 further allows the court to appoint counsel in any other proceeding within the jurisdiction of the juvenile court. ORS 419C.200(2) prohibits the court from accepting from the youth a waiver of counsel except in very limited and narrow exceptions.

Additionally, ORS 419C.245 requires appointment of counsel for a youth prior to entering into a formal accountability agreement (a diversion-type process) with waiver of counsel only available in limited circumstances. ORS 163A.130(12) allows for the appointment of counsel in certain cases to represent the youth in obtaining relief from the requirement to register as a sex offender. ORS 419C.535 (1) requires appointment of counsel to represent a young person under the supervision of the Juvenile Psychiatric Security Review Board.

Juvenile Dependency & Termination-of-Parental-Rights Cases

The United States Supreme Court has held that parents have a fundamental liberty interest in the “care, custody, and management of their children” that is protected by the Due Process Clause of the Fourteenth Amendment to the United States Constitution. *Santosky v. Kramer*, 455 US 745, 753-54 (1982). The Supreme Court has further held that due process does not require the appointment of counsel for every parent subject to a petition to terminate their parental rights but instead left “the decision whether due process calls

for the appointment of counsel for indigent parents in termination proceedings to be answered in the first instance by the trial court, subject, of course, to appellate review." *Lassiter v. Dept. of Social Services*, 452 US 18, 31-32 (1981). And, although the United States Supreme Court has not addressed whether children have a similar right to counsel in juvenile dependency proceedings, the United States Ninth Circuit Court of Appeals has held that children have a "constitutional interest in familial companionship and society" similar to that of parents. *Smith v. City of Fontana*, 818 F2d 1411, 1418 (9th Cir 1987), *overruled on other grounds by Hodgers-Durgin v. de la Vina*, 199 F3d 1037 (9th Cir 1999).

ORS 419B.518(1) requires that, in termination-of-parental-rights proceedings, "[i]f the parents are determined to be financially eligible, and request the assistance of appointed counsel, the court shall appoint an attorney to represent them at state expense."

ORS 419B.195 requires appointment of counsel for financially eligible children in juvenile dependency cases, and ORS 419B.205(1) authorizes appointment of counsel for financially eligible parents and guardians in juvenile dependency cases "whenever the nature of the proceedings and due process so require." Per the Oregon Judicial Department, the "current practice in Oregon is to appoint counsel for each parent or guardian and the child or children, provided they are financially eligible." Oregon Juvenile Dependency Benchbook, *Shelter Hearing* at 3 (July 2021),

https://www.courts.oregon.gov/programs/jcip/Site Assets/Lists/JuvDepBenchbook/EditForm/Shelter.pdf

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy?

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? Yes, one of the KPMs on which the PDSC reports to the legislature is the percentage of attorneys practicing in jurisdictions with PCRP who report spending one-third of their time with parent clients and child clients who have decision-making capacity.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No statutory change is needed.

What alternatives were considered and what were the reasons for rejecting them? Recognizing juvenile representation as mandated caseload provides an alternative to ongoing biennial requests to fund the required services.

What would be the adverse effects of not funding this POP? Growth in mandated caseloads would not be considered part of PDSC current service level and would compete for resources with discretionary policy actions.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? None.

What is your equity analysis?

What assumptions affect the pricing of this POP? The pricing is based on a forecast of caseload growth.

Implementation Date(s): July 1, 2023

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** No.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** Additional funding is needed to the extent of growth in mandated caseload.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** The package anticipates maintaining the current level of representation for PDSC clients by not necessitating the current level of resources be stretched to serve additional client cases.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or Temporary.** No new OPDS staff.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and Training?** None.

f. **What are the ongoing costs?** If this package is adopted and included in the PDSC 2025-27 base budget and caseloads in delinquency and dependency cases remain steady, the total cost would be $2,913,566.

g. **What are the potential savings?** None.

What would this policy option package do and how would it be implemented? Policy Package 113 adds attorney capacity to the system and is further continuation of Policy Packages 101 and 102. Building on the compensation parity and funding for support staff of the other packages, Package 113 provides funding to contract for 130 attorneys to address unrepresented clients and to reduce the caseloads carried by current attorneys.

Why does the PDSC propose this POP? PDSC faces many challenges in its efforts to provide high quality public defense services but creating and implementing a sustainable system remains the greatest challenge.

In January 2022, The American Bar Association and Moss Adams published the results of a study analyzing historical caseloads for public defense in Oregon. The study, The Oregon Project: An Analysis of the Oregon Public Defense System and Attorney Workload Standards, found that Oregon has only about one-third of the attorneys working in public defense that are needed to adequately represent clients given the historical caseloads. The conclusion of the study notes:

At current caseloads, OPDS has a significant deficiency of FTE attorneys to provide public defense services in Adult Criminal and Juvenile cases. OPDS needs an additional 1,296 fulltime attorneys – more than three times its current level – to meet the standard of reasonably effective assistance of counsel guaranteed by the Sixth Amendment. (*The Oregon Project*, pg. 35)

Expanding the capacity for public defense representation by adding additional 130 attorneys will reduce the identified unmet need in Oregon.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? The PDSC's mission to "improve quality representation and to improve systemic efficiencies" is completely aligned with the agency's overall strategic plan, which continues to build on past planning efforts and accomplishments and is aligned with the current rollout of the Compliance, Audit & Performance (CAP) Division of the Office of Public Defense Services (OPDS).

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? Attorneys with OPDS contracts are required to adhere to national and state-specific state practice standards and ethical rules to ensure that indigent defendants have access to high-quality representation. OPDS collects data from attorney providers that include case and client information for each attorney's court appointments, open caseload and activity time, and maintains an attorney qualification database. OPDS data, along with Oregon Justice Department data, is utilized to monitor the qualification (and performance) of attorneys, and to monitor open caseload and workload. Both quantitative and qualitative data can be used to evaluate whether

attorneys are meeting the required standards, and to identify individuals or practice areas where additional training and supervision would be beneficial.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No

What alternatives were considered and what were the reasons for rejecting them? PDSC has accomplished several improvements to the public defense delivery model. In 2019, the Sixth Amendment Center evaluated Oregon's trial level public defense representation provided through OPDS. As a result of this evaluation, PDSC made significant changes to the contract terms, including adopting a fulltime employment-equivalent (FTE) caseload standard and established a rural/non-rural standard payment scale for those caseloads. In 2022, OPDS made further improvements to the criminal and non-PCRP juvenile contracts by implementing a uniform tiered reimbursement structure which is tied to the experience level of the attorney. OPDS lowered the caseloads standards and provided greater clarity and definition around maximum caseloads and weighting factors. The tiered reimbursement structure adopted by PDSC provided a more uniform and fair approach to attorney compensation in both rural and non-rural jurisdictions. Overall attorney compensation increased for more experienced contract attorneys; however, the agency was unable to fund for attorney supervision and training, certified law students, and other necessary staff and resources to reduce caseloads and improve the quality of representation. The adopted increase in attorney salary compensation included funding for salary, a benefit load of 36%, a fixed amount for a .50 support staff and overhead costs (which varied between the rural and non-rural jurisdictions). The tiered reimbursement structure resulted in an overall 5% increase in compensation, however this increase is well below the current rate of inflation.

What would be the adverse effects of not funding this POP? A functioning adversarial legal system requires two adequately resourced opposing sides. A decision to continue to underfund indigent defense, to ignore defender-prosecutor salary disparity, will lead to greater injustices to individual people accused of crimes and a more broken criminal justice system.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? PDSC/OPDS is collaborating with the Legislative Workgroup on Public Defense and the provider community, including not-for-profit public defenders, consortia members, individual law firms and non-contract private bar members.

What is your equity analysis? Public defenders serve those who suffer the most from the injustices of our system. Currently, as evidenced by a backlog of unrepresented clients, public defense offices and consortia do not have adequate funding to provide appropriate compensation to experienced, qualified attorneys doing this important work. The inability to recruit and retain qualified counsel due to the inadequate funding and salary disparity between prosecutors and defenders has a detrimental effect on the quality of representation. Moreover, the chronic underinvestment in public defense services in Oregon is a racial justice issue of highest importance. Racism pervades every stage of the criminal justice system, as is apparent from empirical evidence demonstrating the disproportionate number of people of color who are stopped, arrested, charged and incarcerated. The defender-prosecutor salary disparity reflects a failure in our society to value the work done on behalf of the poor and disadvantaged.

What assumptions affect the pricing of this POP? Legislative approval of an expansion in indigent defense funding will be necessary to fund this policy package. The current budget for indigent defense funding is grossly inadequate and represents years of policy decisions that have resulted in a chronic underfunding of the public defense system and growing disparity between prosecutors and defenders.

Implementation Date(s): July 1, 2023.

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** PDSC will function and provide oversight pursuant to legislative mandate.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** None.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** Indigent defense funding directly impacts the quality of representation provided in the state.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the**

number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary. Internally, there would be no additional staff needed to implement this policy package. As the CAP Division matures and its Research and Data Division identifies system improvements, additional staff may be needed to implement new programs and services.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** None.

f. **What are the ongoing costs?** Ongoing costs for indigent defense funding include budgets for other services and programs implemented and managed by OPDS, including the Appellate Division, Case Support Services, Court-Mandated Expense and Special Programs. If this package is adopted and included in the PDSC 2025-27 base budget, the total cost in Trial Criminal and Juvenile Divisions would be $127,534,419.

g. **What are the potential savings?** None

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Juvenile Division**

Pkg: 010 - Vacancy Factor and Non-ORPICS Personal Services | **NOT AUDITED** | **Cross Reference Number: 40400-500-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	16,873	-	-	-	-	-	16,873
Total Revenues	**$16,873**	**-**	**-**	**-**	**-**	**-**	**$16,873**
Personal Services							
Pension Obligation Bond	15,153	-	-	-	-	-	15,153
Mass Transit Tax	1,720	-	-	-	-	-	1,720
Vacancy Savings	-	-	-	-	-	-	-
Total Personal Services	**$16,873**	**-**	**-**	**-**	**-**	**-**	**$16,873**
Services & Supplies							
Professional Services	-	-	-	-	-	-	-
Total Services & Supplies	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Expenditures							
Total Expenditures	16,873	-	-	-	-	-	16,873
Total Expenditures	**$16,873**	**-**	**-**	**-**	**-**	**-**	**$16,873**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Juvenile Division**

Pkg: 021 - Phase-in | **NOT AUDITED** | **Cross Reference Number: 40400-500-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	15,195	-	-	-	-	-	15,195
Total Revenues	**$15,195**	**-**	**-**	**-**	**-**	**-**	**$15,195**
Services & Supplies							
Instate Travel	298	-	-	-	-	-	298
Employee Training	1,342	-	-	-	-	-	1,342
Office Expenses	1,325	-	-	-	-	-	1,325
Telecommunications	130	-	-	-	-	-	130
Data Processing	900	-	-	-	-	-	900
Publicity and Publications	47	-	-	-	-	-	47
Professional Services	1,766	-	-	-	-	-	1,766
IT Professional Services	1,700	-	-	-	-	-	1,700
Dues and Subscriptions	75	-	-	-	-	-	75
Facilities Rental and Taxes	4,440	-	-	-	-	-	4,440
Facilities Maintenance	104	-	-	-	-	-	104
Other Services and Supplies	948	-	-	-	-	-	948
Expendable Prop 250 - 5000	495	-	-	-	-	-	495
IT Expendable Property	1,625	-	-	-	-	-	1,625
Total Services & Supplies	**$15,195**	**-**	**-**	**-**	**-**	**-**	**$15,195**
Total Expenditures							
Total Expenditures	15,195	-	-	-	-	-	15,195
Total Expenditures	**$15,195**	**-**	**-**	**-**	**-**	**-**	**$15,195**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Juvenile Division**

Pkg: 021 - Phase-in | **NOT AUDITED** | **Cross Reference Number: 40400-500-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Juvenile Division**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-500-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	2,691,371	-	-	-	-	-	2,691,371
Tsfr From Human Svcs, Dept of	-	-	-	-	-	-	-
Total Revenues	**$2,691,371**	**-**	**-**	**-**	**-**	**-**	**$2,691,371**
Services & Supplies							
Instate Travel	9	-	-	-	-	-	9
Employee Training	42	-	-	-	-	-	42
Office Expenses	61	-	-	-	-	-	61
Telecommunications	4	-	-	-	-	-	4
Publicity and Publications	1	-	-	-	-	-	1
Professional Services	2,690,900	-	-	-	-	-	2,690,900
IT Professional Services	112	-	-	-	-	-	112
Dues and Subscriptions	2	-	-	-	-	-	2
Facilities Rental and Taxes	140	-	-	-	-	-	140
Facilities Maintenance	3	-	-	-	-	-	3
Other Services and Supplies	30	-	-	-	-	-	30
Expendable Prop 250 - 5000	16	-	-	-	-	-	16
IT Expendable Property	51	-	-	-	-	-	51
Total Services & Supplies	**$2,691,371**	**-**	**-**	**-**	**-**	**-**	**$2,691,371**
Total Expenditures							
Total Expenditures	2,691,371	-	-	-	-	-	2,691,371
Total Expenditures	**$2,691,371**	**-**	**-**	**-**	**-**	**-**	**$2,691,371**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Juvenile Division**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-500-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Juvenile Division**

Pkg: 040 - Mandated Caseload | **NOT AUDITED** | **Cross Reference Number: 40400-500-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	-	-	-	-	-	-	-
Total Revenues	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Services & Supplies							
Professional Services	-	-	-	-	-	-	-
Total Services & Supplies	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Expenditures							
Total Expenditures	-	-	-	-	-	-	-
Total Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Juvenile Division**

Pkg: 060 - Technical Adjustments | **NOT AUDITED** | **Cross Reference Number: 40400-500-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	34,969,383	-	-	-	-	-	34,969,383
Total Revenues	**$34,969,383**	**-**	**-**	**-**	**-**	**-**	**$34,969,383**
Services & Supplies							
Professional Services	34,969,383	-	-	-	-	-	34,969,383
Total Services & Supplies	**$34,969,383**	**-**	**-**	**-**	**-**	**-**	**$34,969,383**
Total Expenditures							
Total Expenditures	34,969,383	-	-	-	-	-	34,969,383
Total Expenditures	**$34,969,383**	**-**	**-**	**-**	**-**	**-**	**$34,969,383**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Juvenile Division**

Pkg: 081 - June 2022 Emergency Board | **NOT AUDITED** | **Cross Reference Number: 40400-500-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	24,847,247	-	-	-	-	-	24,847,247
Total Revenues	**$24,847,247**	**-**	**-**	**-**	**-**	**-**	**$24,847,247**
Services & Supplies							
Professional Services	24,847,247	-	-	-	-	-	24,847,247
Total Services & Supplies	**$24,847,247**	**-**	**-**	**-**	**-**	**-**	**$24,847,247**
Total Expenditures							
Total Expenditures	24,847,247	-	-	-	-	-	24,847,247
Total Expenditures	**$24,847,247**	**-**	**-**	**-**	**-**	**-**	**$24,847,247**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Juvenile Division**

Pkg: 101 - Provider Compensation | **NOT AUDITED** | **Cross Reference Number: 40400-500-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	2,562,802	-	-	-	-	-	2,562,802
Total Revenues	**$2,562,802**	**-**	**-**	**-**	**-**	**-**	**$2,562,802**
Services & Supplies							
Professional Services	2,562,802	-	-	-	-	-	2,562,802
Total Services & Supplies	**$2,562,802**	**-**	**-**	**-**	**-**	**-**	**$2,562,802**
Total Expenditures							
Total Expenditures	2,562,802	-	-	-	-	-	2,562,802
Total Expenditures	**$2,562,802**	**-**	**-**	**-**	**-**	**-**	**$2,562,802**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Juvenile Division**

Pkg: 102 - Provider Staffing | **NOT AUDITED** | **Cross Reference Number: 40400-500-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	26,080,002	-	-	-	-	-	26,080,002
Total Revenues	**$26,080,002**	**-**	**-**	**-**	**-**	**-**	**$26,080,002**
Services & Supplies							
Professional Services	26,080,002	-	-	-	-	-	26,080,002
Total Services & Supplies	**$26,080,002**	**-**	**-**	**-**	**-**	**-**	**$26,080,002**
Total Expenditures							
Total Expenditures	26,080,002	-	-	-	-	-	26,080,002
Total Expenditures	**$26,080,002**	**-**	**-**	**-**	**-**	**-**	**$26,080,002**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Juvenile Division**

Pkg: 103 - Expansion of PCRP | **NOT AUDITED** | **Cross Reference Number: 40400-500-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	32,481,974	-	-	-	-	-	32,481,974
Total Revenues	**$32,481,974**	**-**	**-**	**-**	**-**	**-**	**$32,481,974**
Services & Supplies							
Professional Services	32,481,974	-	-	-	-	-	32,481,974
Total Services & Supplies	**$32,481,974**	**-**	**-**	**-**	**-**	**-**	**$32,481,974**
Total Expenditures							
Total Expenditures	32,481,974	-	-	-	-	-	32,481,974
Total Expenditures	**$32,481,974**	**-**	**-**	**-**	**-**	**-**	**$32,481,974**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Juvenile Division**

Pkg: 112 - Mandated Caseload for Juvenile | **NOT AUDITED** | **Cross Reference Number: 40400-500-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	2,705,261	-	-	-	-	-	2,705,261
Total Revenues	**$2,705,261**	**-**	**-**	**-**	**-**	**-**	**$2,705,261**
Services & Supplies							
Professional Services	2,705,261	-	-	-	-	-	2,705,261
Total Services & Supplies	**$2,705,261**	**-**	**-**	**-**	**-**	**-**	**$2,705,261**
Total Expenditures							
Total Expenditures	2,705,261	-	-	-	-	-	2,705,261
Total Expenditures	**$2,705,261**	**-**	**-**	**-**	**-**	**-**	**$2,705,261**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Juvenile Division**

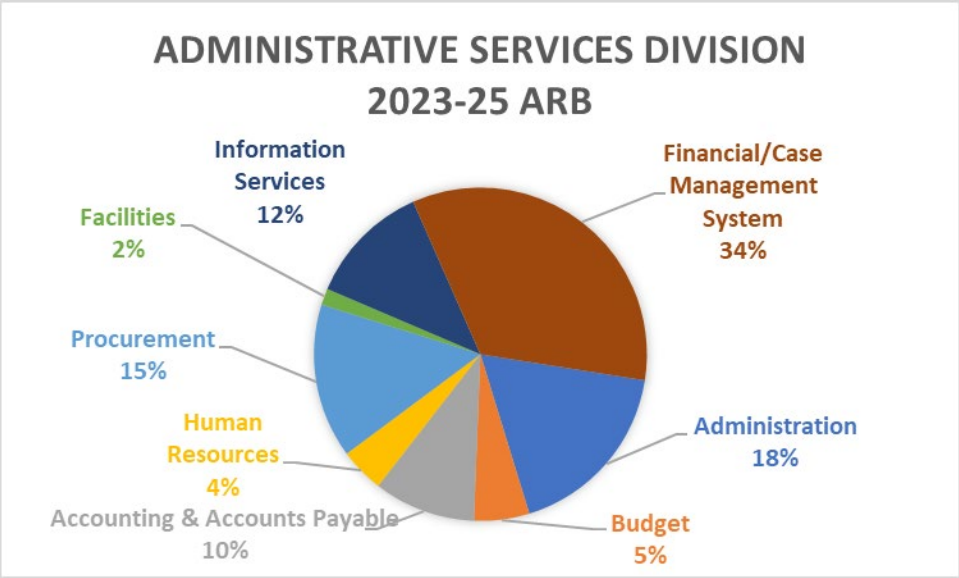
Pkg: 113 - Capacity Expansion | **NOT AUDITED** | **Cross Reference Number: 40400-500-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	33,980,905	-	-	-	-	-	33,980,905
Total Revenues	**$33,980,905**	**-**	**-**	**-**	**-**	**-**	**$33,980,905**
Services & Supplies							
Professional Services	33,980,905	-	-	-	-	-	33,980,905
Total Services & Supplies	**$33,980,905**	**-**	**-**	**-**	**-**	**-**	**$33,980,905**
Total Expenditures							
Total Expenditures	33,980,905	-	-	-	-	-	33,980,905
Total Expenditures	**$33,980,905**	**-**	**-**	**-**	**-**	**-**	**$33,980,905**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

Administrative Services Division

Executive Summary

Division	LAB/ACT	2021-23	2023-25 (ARB)	2025-27	2027-29
Administrative Services	LAB	13,632,646	24,118,598	25,565,714	27,099,657
	Actuals				



Program Overview

The Administrative Services Division includes the Budget and Finance, Contract Services/Non-routine Expense, Human Resource Management, and Information Technology sections responsible for agency leadership and central agency administration ensuring compliance with ORS Chapter 151. ORS 151.216 directs the agency "to maintain a public defense system that ensures the provision of public defense services consistent with the Oregon Constitution, United States Constitution, and Oregon and national standards of justice." Effective management of this program allows the agency's service delivery staff to focus on providing excellence in core business program delivery and customer assistance.

Administrative Services Division

Executive Summary

Program Funding Request

The Administrative Services Division contains five distinct units with 32 Position and 30.03 FTE –

Administrative Services	GF	OF	TF	POS	FTE
LAB 21-23	13,632,646		13,632,646	32	30.03
CSL 23-25	14,171,572		14,171,572	28	28.00
ARB 23-25	24,118,598		24,118,598	36	35.88
GB 23-25					
LAB 23-25					
Difference	10,485,952		10,485,952	4	5.85
Pct Change	76.9%		76.9%	12.5%	19.5%

Program Description

Budget and Finance Units

Budget and Finance provides advice, leadership, and direction on financial, budget, and procurement matters to all internal partners and stakeholders. This includes ensuring that practices comply with all applicable laws, rules, and professional standards, and ensures transparency and accountability. Budget and Finance manages all of the funding for the expenditures associated with the State Government Services Charges, Rent and Facilities. During the 2021-23 biennium, Budget and Finance continued the implementation of the suggested changes from the various audits that were targeted at improving financial integrity and controls within the agency. With most recommendations completed, the units continue to seek ways to implement best business practices and employ continuous improvement and education efforts in all areas. Long-term improvement actions will continue to be executed through the 2023-25 biennium.

Finance Unit*:* This unit provides accounting services which prepares financial reports, transfers and reconciles funds; and the Accounts Payable Unit. The unit works closely with the DAS State Controller's Division, the Oregon State Treasury, other state agencies, and the federal government.

During the 2019–21 biennium, this unit partnered with the budget team to create a crosswalk between RSTARS and ORBITS in coordination with the agency restructure and new cost allocation process. Future improvement actions included:

- Staffing all Finance positions to meet required and expected accounts payable and other reporting goals.

- Training and improving proficiency for all new employees on key systems such as SFMS, Datamart, Treasury, and SARS year-end training. Additional ongoing training and partnership with DAS will continue.

During the 2021–23 biennium, work will continue to improve management quality controls by defining procedures for numbers that leave the Finance Unit, defining clear control procedures for review of system accesses, establishing unit expectations, and performing monthly updates to manage unit priorities. The unit will work to develop desk manuals that are living documents, implement recommendations received through various audits and examine best practices to strengthen financial recording and revenue management. The unit will continue to find opportunities to better assist the agency and work strategically and collaboratively with leadership, agency stakeholders, and customers.

Budget Unit: This unit leads the biennial budget process and provides guidance and direction to program and administrative staff. Budget is responsible for initiating and coordinating processes for budget planning, financial analysis, and overall technical budget support for the agency.

During the 2021-23 biennium, improvement actions included:

- Creating a mandated forecast methodology.

- Improve delivery of financial information delivery to keep the commission, agency and concerned stakeholder and partners informed on the current status of the agency budget, progress on the budget build, and the sharing budget and finance process changes.

- Budget staff continues to work on creating desk manuals.

During the 2023-25 biennium, work will continue to improve communication with internal and external customers; train budget staff; improve the fiscal impact and financial forecasting processes; and improve monthly financial reports.

Contracts Unit: This unit is responsible for managing all contracting and procurement activities for attorney contracts. This team prepares, negotiates, processes and administers public defense contracts. Working with Judges, their staff as well as attorney providers to ensure adequate attorney coverage for the needs of the trial courts around the state. The team monitors workload requirements, budget documents and reports, insurance requirements, PDSC best practices, as well as timely submission of caseload reports. The team performs analysis and evaluation of services by comparing results to PDSC policies, goals and objectives. Prepare findings and recommendations for agency leadership and PDSC to make informed decisions regarding contracting activities.

Human Resources: Human Resources provides guidance to ensure the agency follows policies and pursues best practices to create a work environment that attracts, develops, and retains the best and brightest employees. Specifically, HR provides:

- Education and leadership on policies and best practices for recruiting and retaining a diverse and competent workforce that is aligned with the agency's equal employment and affirmative action goals.

- Advice and counsel to agency managers on employee performance management, policy and contract interpretation, leave of absence management, and American with Disabilities Act requirements related to employee accommodation requests.

- Coordination of training and staff development, administration of worker's compensation and unemployment insurance matters, oversight of job classifications, compensation, position control, position management, and maintenance of employee personnel records.

During the 2021–23 biennium, HR successfully transitioned to Workday, an enterprise-wide electronic human resource information system. Workday allows HR to perform recruitment management, classification and compensation, absence management, position management, and talent and performance management.

HR also committed to effective accountability framework that, at minimum, sets clear and measurable expectations and feedback to address employee performance. HR tracks employee position descriptions to ensure employees have updated and accurate

descriptions of their work; track employee performance evaluations to ensure employees received timely feedback on their performance; ensure position descriptions and performance evaluation standards are clear and consistently applied; ensure that managers and supervisors had the requisite training and skills; and consult with the Department of Administrative Services' Human Resource Office for assistance with supervisor training and development. The HR department has identified gaps in its employee training and development plans and continues to seek opportunities to improve on its commitment to ensure a culture of diversity, equity, and inclusion.

Information Technology Unit: This unit is responsible for providing IT support services which are not supported through the Oregon Judicial Department (OJD) Interagency Agreement (IAA). The current IT support afforded through the OJD IAA supports helpdesk, desktop, server, enterprise information security, networking, telecommunication, wireless, mobile, web, IT management and software support (e.g., Microsoft 365). The current environment is setup as an Enterprise scale environment, with Enterprise level tools in all areas. Internally, the unit supports PDSC personnel with submitting support tickets, software training, troubleshooting less complex issues, new user set up/removal in the Jabber software which supports the VoIP phone system that was implemented July 2022, public facing web updates, as well as database maintenance brining many of the failing access databases over to a new backend where data can be safely stored until a new system is in place.

In May of 2022 PDSC hired two certified project managers to begin the re-initiation efforts of the Financial and Case Management System (FCMS) project. While supporting these efforts the project team has been able to assist in further identifying areas of IT development, specifically the need of an IT business plan. This plan will afford the unit with operational best practices, processes, and policy. It will also define the interagency roles and responsibilities between PDSC and OJD. This plan is expected to provide an initial brief assessment and strategic goals to carry the agency's IT operations until the FCMS project is implemented, or until the end of the 2023-25 Biennium whichever comes first.

Once the FCMS project is implemented the IT unit will support internal and external users with system support, technical training and assistance, and database management. The IT unit will need three additional staff to carry out this effort. The PDSC will be requesting two (2 FTE) Operations and Policy Analyst 3 (OPA 3) positions be made permanent; and the addition of one (1FTE) Information Technology Specialist 4 (ITS 4).

Program Justification and link to Long Term Outcome

Administrative Services Division

Executive Summary

A robust Administrative Services Division is necessary to effectuate a healthy, vital, and sustainable public defense system. The legal services funded by OPDS is the largest coordinated law effort in the state of Oregon, serving indigent people in criminal, juvenile, civil commitment, contempt, probate, and other cases, at the trial and appellate level. Consistent leadership and governance are critical to the effective operation of these programs.

Additionally, the state has used the same service delivery model for trial-level public defense services since 1983. That model, and the outcomes from that model, has been criticized in recent reports by the Sixth Amendment Center and the American Bar Association. Stakeholders, policymakers, and public officials have uniformly called for a modernization of the state's public defense system. Modernizing an agency of this size and scope requires leadership, vision, and strong centralized planning.

Program Performance

The Administrative Services Division is a new division that began July 1, 2021. Since its creation, the agency has hired a new deputy director, budget and finance manager, two budget analysts, a chief information office, three information technology specialists and 2 limited duration policy analysts for the new FCMS.

Over the past two budget cycles, the state's public defense system has received intense scrutiny and attention. With the support of the legislature, the agency has restructured external contracting policies with trial-level public defense providers. HB 5030 (2021) restructured the agency's budget appropriation and internal operations. HB 2003 (2021) amended ORS Chapter 151 and directed the PDSC to adopt policies in new areas to modernize the agency.

The Executive Division has managed the agency's response to HB 5030 and HB 2003. It has worked with the legislature and other policymakers to address the lack of public defense attorneys. And it has also worked with the PDSC to develop new public defense contracting policies, which went into effect July 1, 2022.

Enabling Legislation

Generally, ORS Chapter 151 establishes governance for the agency, with the PDSC responsible for selecting an executive director that is the chief executive of the Office of Public Defense Services. ORS 151.219 defines the duties of the executive director. The position of general counsel is grounded in ORS 151.219(1)(k).

Administrative Services Division

Executive Summary

The Administrative Services Division was created by House Bill 5030 (2021), which took effect on July 1, 2021. The measure restructured the internal operations of OPDS and aligned its budget along cost centers. The budget report to HB 5030 stated, "provides agency-wide administrative support and central services for the agency. The newly established division is organized into the following sections based on service delivery: Administration, Budget, Accounting/Accounts Payable, Human Resources, Procurement, Facilities, Information Services."

Funding Streams

The Administrative Services Division is entirely funded by General Fund.

Funding Justification and Changes to CSL

The following Policy Option Packages impact the Administrative Services Division and are described elsewhere.

- Policy Package 104 – Program Design and Research
- Policy Package 105 – Financial and Case Management System
- Policy Package 107 – OJD ETS Services
- Policy Package 108 – Limited Duration Positions to Permanent
- Policy Package 109 – Case Support Services Position

[This page intentionally left blank. Organizational chart follows.]

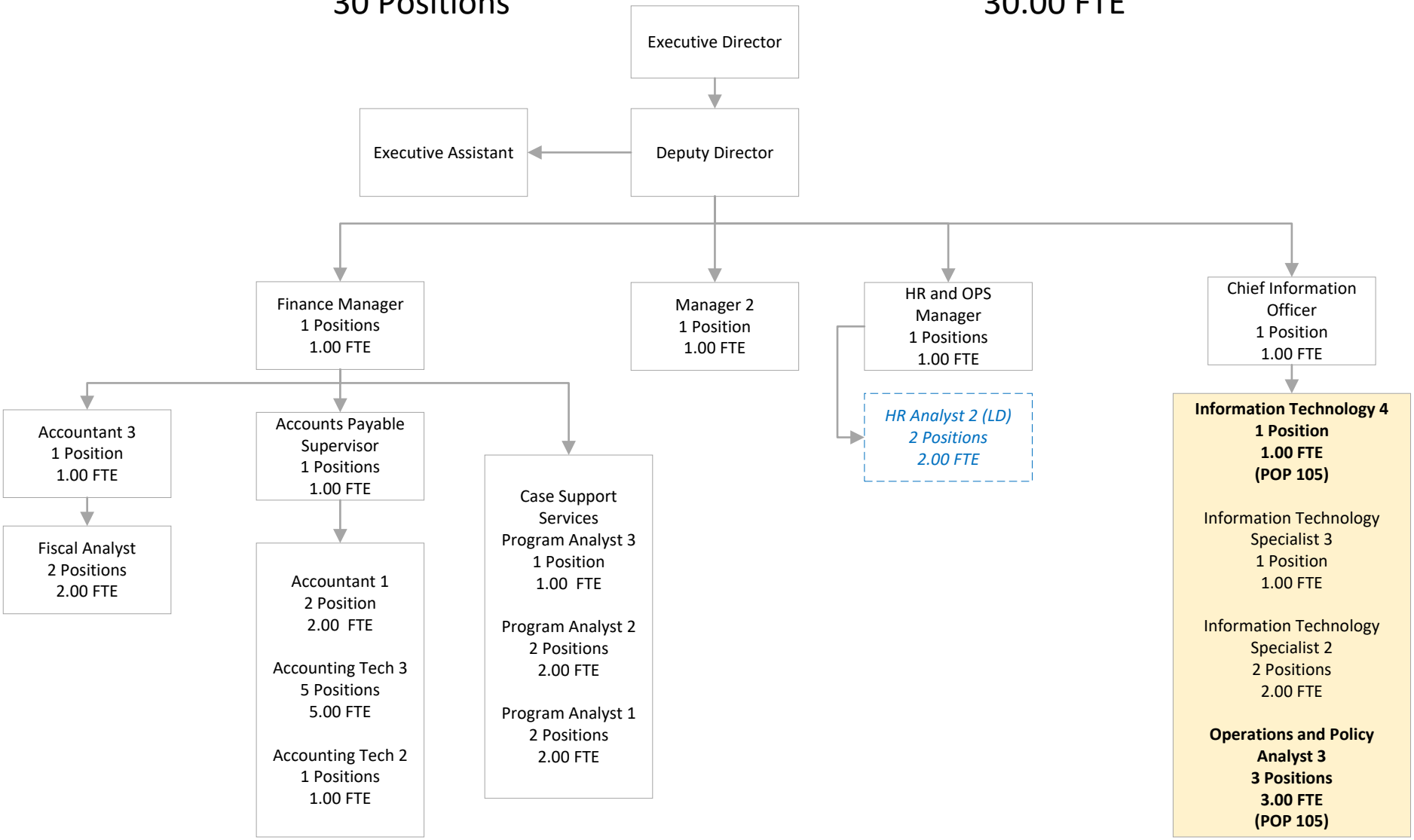
Administrative Services Division

Organizational Chart

2023-2025 Agency Request Budget

30 Positions

30.00 FTE



Administrative Services Division

Essential Packages

The essential packages present budget adjustments needed to bring the legislatively approved budget to current service level (CSL), the calculated cost of continuing legislatively approved programs into the 2023 – 25 biennium. The 2023 – 25 current service level is inclusive and only inclusive of the agency's 2023 – 25 base budget, a close derivative of the 2021 – 23 legislatively approved budget, and the essential packages, as defined in State of Oregon's biennial budget instructions.

Revenue Source

Essential packages in the Administrative Services Division increase the agency's General Fund budget by $164,678.

Staffing Impact

There is no staffing impact.

Package No.	Package No. Description	Fund	Amount
010	Non-PICS Personal Services Adjustments (Inflation, Vacancy Savings, etc.)	General	(425,140)
021	Program Phase-in (2021 – 23 Legislatively Adopted Packages)	General	62,579
022	Program Phase-out (2021 – 23 Program or Expiration of Limited Duration Positions)	General	0
031	Standard Inflation and DAS Budget Instructions Price List Adjustments	General	525,643
032	Above Standard Inflation (Medical or Analyst Approved Inflation)	General	1,596
033	Exceptional Inflation	General	0

Administrative Services Division

Essential Packages

Package No.	Package No. Description	Fund	Amount
040	Mandated Caseload	General	0
050	Fund Shifts	General	0
060	Technical Adjustments	General	0
Total 2023 – 2025 Current Service Level Essential Packages		**General**	**164,678**
BASE	2023 – 2025 Base Budget	General	14,006,894
2023 – 2025 Current Service Level		**General**	**14,171,572**

What would this policy option package do and how would it be implemented? By the Fall of 2024, with the proposed staffing, the agency will produce written policies, procedures, and processes for both the agency and public defense providers to adhere to consistent with legislative directives. The establishment of needed policies and procedures will allow the agency to provide oversight of these functions, increasing agency capacity to support high-quality, zealous legal representation, provide oversight of legal representation for indigent clients, and engage in robust data collection and analysis to inform appropriate procurement methods to contract with public defense providers around the state. These efforts will result in increased leadership, better communication, and more transparency to the agency's work.

Why does the PDSC propose this POP? HB 5030 (2021) directed the Public Defense Services Commission (PDSC) to establish compliance, audit, and performance measures to strengthen the PDSC's program management, performance, and oversight. This legislative directive will enable PDSC to establish and develop the infrastructure to support public defense attorneys, and other entities that work in the public safety system, to provide quality legal representation and related services to financially eligible persons.

A practice-informed and outcome-based model for compliance and oversight will enable the agency to better evaluate and manage the provision of legal representation services to indigent clients and to provide better information to the legislature, providers, and other interested parties. The establishment of compliance, audit, and performance measures will necessitate additional staffing to ensure increased effectiveness of public defense attorneys, entities, and others providing legal representation and related services.

Consistent with the Budget Report for HB 5030, The Office of Public Defense Services (OPDS) established a Trial Division, comprised of Adult Criminal and Juvenile sections, the latter of which includes the Parent Child Representation Program. This division is comprised of Criminal Trial Counsel and Juvenile Trial Counsel and Program Analysts who work collaboratively with each other to ensure the successful delivery of public defense services statewide through the daily interface with the contracted attorneys and other public defense providers, the trial courts, and other stakeholders in the public defense system.

In addition to the Trial Division, which is involved in the day-to-day programming, OPDS proposes to create a division under the direction of the Deputy Director which integrates informed research, program evaluation, and policy development managed under the oversight of a legal Program Manager (1.0 FTE) and a Program Design and Policy Manager. Additional staffing under the Compliance Audit, and performance (CAP) Division will include a Research Manager, a Research Analyst, and several Operation and Policy Analysts (4 FTE).

The CAP Division will work directly with the Trial Division to establish policies and processes, attorney workload models, evaluation tools, and monitoring plans. This initial groundwork is critical to setting the stage for the next phase of quality assurance, optimizing the efficiency and effectiveness of public defense attorneys, increasing the agency's capacity to identify and deliver tools, technical assistance, trainings and other resources to providers, and to identify and develop policies and practices that support quality public defense in Oregon.

The development of the CAP Division will enhance the capacity of the Trial Division to address current deficiencies in the public defense delivery model, increase attorney capacity, and improve the overall efficiency and quality of public defense in this state. Specifically, this division will allow the agency to measure caseloads, workloads, and other metrics to ensure enhanced caseload forecasting, and to establish performance measures and methods for the monitoring compliance with state and national practice standards, client and system outcomes, internal financial controls, and standards applicable to court supported services needed for quality representation.

Together, the Trial Division and the CAP Division will deliver the compliance, audit, and performance measures and program development the legislature contemplated with the reorganization of the agency.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? Adding additional capacity to the agency contributes to the agency's mission by directly supporting public defense attorneys and other entities that work in the public safety system providing legal representation and related services to financially eligible persons. The CAP Division is integral to the core mission of an outcome-based program delivery model that enables the agency to better evaluate and manage the provision of legal representation services to indigent clients and provide better data to inform policy making by the legislature, providers, and other interested parties. Additionally, the disciplines provided by the division will contribute to the success of the Agency's Strategic Plan and other goals. This will support the values and priorities of the PDSC to provide services to ensure public defense attorneys and other providers are adequately supported by the investment made to the communities served by the agency.

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? No. Success of this package will be measured by stabilization of recruitment and retention of public defense attorneys and other providers of services around the state and developing consistent policies and procedures, robust data collection and analysis of data, and a workload model that provides public defense attorneys time to provide quality representation to persons who are financially eligible. Additionally, this new functionality enables the agency to better forecast the projected needs of the public defense system in

Oregon, increase transparency and accountability regarding the public defense services provided, develop greater internal controls related to the costs and quality of public defense services, and provide for transparency through established policies and procedures which will inform rates and enhanced workload model.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No.

What alternatives were considered and what were the reasons for rejecting them? No alternatives were considered. Prior to HB 5030, the agency was a pass-through agency.

What would be the adverse effects of not funding this POP? The agency would continue to be reactive instead of moving to a more proactive approach in managing contracts, data and ensuring quality public defense services to clients. Without the investment of infrastructure, the agency would not have the resources to adequately manage and analyze data and other information regarding public defense to set adequate workloads, attorney-compliance with performance standards, client and system outcomes, manage the capacity and other jurisdictional issues throughout the state. The agency would be limited in the information it could provide to the legislature and other entities requesting information regarding deficiencies in the state's ability to ensure adequate and timely public defense representation.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? None.

What is your equity analysis? Without further investment in the public defense system, finically eligible clients of all backgrounds will continue to be impacted by the high caseloads, insufficient oversight and quality assurance, system-wide inequities and inefficiencies, and minimized capacity in providing quality representation.

What assumptions affect the pricing of this POP? The assumptions affecting the pricing would be based on the implementation of the positions.

To provide for the efficient, effective, and equitable delivery of quality public defense services, increased monitoring, transparency, and accountability over the delivery of public defense services, enhanced internal controls, and increased capacity for informed, data-driven policy making both within the agency and in conjunction with legislature and other justice system stakeholders.

To meet the legislative expectations of monitoring the agency's provision of public defense services, PDSC/OPDS will develop policies, procedures and processes related to the delivery of legal representation to those who are financially eligible. These established policies and procedures must be communicated to the public defense community for understanding and adherence. Policy, procedure, and process is the first step in the development of the agency's outcome-based program delivery model. The proposed CAP Division and the additional staffing in this request will allow the agency to produce written policies, procedures and processes for both the agency and public defense providers to adhere to, no later than the Fall of 2024.

The CAP Division will be critical to the development of a framework for measuring and evaluating attorney and entity compliance and performance against state and national performance standards and client and system outcomes. This monitoring and evaluation framework will be the basic structure for how the agency moves forward. The monitoring and evaluation tools will inform the build out of the new financial management system. This will include reporting of provider activities and outcomes related to performance standards and plans for addressing deficiencies through targeted interventions, policy development, and identifying additional resource needs.

The proposed timeline for policy and process aligns with the Financial Services Management (FSM) system timeline as the agency is currently in the early stages of this project. By fall of 2024, the agency will have data reporting requirements in place to begin streamlining the required data reporting from public defense attorneys, entities, and other providers. The collection and analysis of data is instrumental in developing models to aid in workload reduction for public defense attorneys, internal controls, and the monitoring and evaluation of trial-level programs. Collecting timely and relevant data will allow the agency to create stabilized workloads enabling providers to provide quality, efficient, equitable, and timely representation to financially eligible clients, reducing barriers to disadvantaged and underrepresented populations.

Another aspect of this restructuring of the agency that directly impacts the success of the PDSC/OPDS is the retention of public defense attorneys. Standardized pay and stabilizing workloads will support workforce retention by creating a desirable environment for providers to no longer feel they are drowning in cases. As the American Bar Association study on the status of the Oregon public defense system alerted the PDSC in early 2022, the state currently has roughly 1/3 the necessary attorneys to handle the increasing

caseload around the state. Meeting the needs in each jurisdiction around the state can only be achieved by establishing standardized pay scales and stabilizing workloads.

Implementation Date: July 1, 2023.

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** No.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** None have been requested.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** With the development of better data reporting and attorney oversight, the agency intends to move toward a workload model for attorney providers, to better manage the provision of trial level legal representation services and ensure representation for all those entitled to court-appointed counsel at state expense in Oregon. Those individuals are disproportionately comprised of underrepresented and disadvantaged populations. Changes to attorney workloads will result in lowering the total number of cases as well the number of higher-level felony cases that an attorney can be appointed to at any given time. This in turn allows public defense attorneys to provide better, more engaged representation to these affected populations.

   Until the work of developing a more robust data reporting system and monitoring and oversight processes is underway, the agency is unable to quantify the outcomes of any workload changes.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** HB 5030 shifted existing infrastructure in the agency including research and data and deputy general counsel positions. This also added additional attorney capacity creating a base infrastructure for the division. The PDSC has evaluated the structure and has determined that there are deficiencies in the structure for leadership, program management, policy and procedure development and external communications to meet the legislature's expectations set forth in HB 5030.

The POP requests the following in the Administrative Services Division:

Procurement Analyst (DPO):

OPDS anticipates the agency, as it grows internally and serves a greater number of providers, will need a Procurement Analyst 2 (1 FTE) to centralize all agency procurement activities to monitor compliance, adherence to contract terms. This position may work with Department of Justice legal counsel to develop legal boilerplate language in compliance with state standards. Currently, the five Program Analyst positions facilitating the contacting process between providers and the agency do not have the capacity to monitor compliance and implement penalties for non-compliance as set forth under the terms of the provider contracts.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** Normal cost associated with new employees.

f. **What are the ongoing costs?** If this package is adopted and included in the PDSC 2025-27 base budget, the total cost in Executive, CAP and Administrative Services Divisions would be $3,640,341.

g. **What are the potential savings?** None.

What would this policy option package do and how would it be implemented? PDSC is requesting funds for this policy package to purchase a new cloud-hosted financial and case management system (FCMS) to begin the contract phase with a system vendor to start July 1, 2023. HB 5202 (2022) provided the agency with $743,588 General Fund, on a one-time basis, and authorization of two positions (1.26 FTE) for the re-initiation of the planning phase of the Financial and Case Management information technology project. The 81st Legislative Assembly directed the commission:

> "[T]o report to the Joint Legislative Committee on Information Management and Technology and the Joint Committee on Ways and Means during the 2023 legislative session on the status of the re-initiation of the planning phase of the Financial/Case Management System (F/CMS) information technology project. The report shall include: a detailed business case, project timeline, and cost estimates. The Commission is to follow the Stage Gate, or a similar disciplined process related to information technology projects, including development of key artifacts and independent quality assurance oversight."

PDSC has already began to meet the requirements of HB 5202 with the hiring of two Project Management Institute (PMI) certified Project Managers. Currently the Project Managers are refreshing all project documents and formulating a Project Management Plan to meet the remaining requirements of HB 5202. In the coming months the team will begin writing a System Request for Proposal (RFP) to be released in early 2023. The release of the RFP at this time will allow for a vendor to be selected and procured to begin the implementation process as early as July 1, 2023.

Why does the PDSC propose this POP? The Public Defense Services Commission (PDSC), through its Office of Public Defense Services (OPDS), seeks to procure an integrated financial and case management system designed to support the agency's mission to ensure that eligible individuals have timely access to legal services, consistent with Oregon and national standards of justice.[2] The FCMS will provide a reduction in manual data entry through integrations with partner agencies, allow for the ability to manage payment requests in a timely manner, and produce data so caseloads can be monitored more efficiently and analyzed to better understand the services provided to individuals that qualify for counsel.[3] Without an integrated financial and case management system, the ability to effectively evaluate public defense services is significantly diminished which impacts case management, collection of program data and performance metrics, and the ability to conduct timely and cost-effective research.

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[2] Office of Public Defense Services. (2016). *Public Defense Services Commission Strategic Plan 2016-2021*. Strategic Plan: Mission Statement. Retrieved from https://www.oregon.gov/opds/commission/reports/PDSCStrategicPlan2016-2021.pdf.

[3] Department of Administrative Services. (2018). *Oregon Accounting Manual*. Retrieved from https://www.oregon.gov/das/Financial/Acctng/Documents/15%20Accounting%20and%20Financial%20Reporting%20search.pdf.

In order to provide data to address the need to restructure public defense and meet provider contract payment time standards, PDSC requires a technical solution to allow for standardized data collection that will provide opportunity for evaluation of contract monitoring and financial accountability, supported by audit capabilities. The implementation of a FCMS will provide OPDS staff the ability to monitor and measure provider caseloads in relation to national best practice standards,[4] and report on the impact of public defense services to stakeholders through detailed data. Financial accountability will be met through the ability to produce detailed financial reports, deliver payments to providers per the Oregon Accounting Manual[5] processing timelines, and manage/audit requests for attorney non-routine expenses (NRE). The FCMS will also sustain data collection on cases and contracts to provide the Oregon Legislature, Governor's office, stakeholders, and interested parties with information and data on Oregon's public defense compliance with best and promising practices, contract projections, and key performance measure indicators.

With the implementation of the FCMS PDSC will meet Oregon public defense needs with the following proposed system capabilities (*see section 3 Assumptions for a full list of assumed functionalities)*:

- Comprehensive Data Collection
  - Attorney qualifications
  - Attorney caseload
  - Attorney contract oversight
  - Legal work performed outside of contract
  - Case milestones (pretrial information, conditions of release, investigation practices, expert consultation, motions filed, and plea offers)
  - Basic event data
  - Case information (basic client demographics, initial charge(s), pretrial release/detention decisions, motions filed, experts consults, pleas offered, disposition, and sentencing).

[4] New York Office of Indigent Legal Services. (2016). *A Determination of Caseload Standards pursuant to § IV of the Hurrel-Harring v. the State of New York.*

[5] Department of Administrative Services. (2019). *Oregon Accounting Manual*. Chapter 15. Salem, Oregon. Retrieved from https://www.oregon.gov/das/Financial/Acctng/Documents/15%20Accounting%20and%20Financial%20Reporting%20search.pdf.

- Timekeeping

- Reporting
  - Canned reports
  - Ad hoc reports

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? PDSC's mission is to ensure that eligible individuals have timely access to legal services, consistent with Oregon national standards of justice. To achieve this mission the agency has assigned specific values, legislative advocacy, and goals and strategies (2016-2021 Strategic Plan) to govern services that serve the public defense community and meet legal and statutory requirements.

From the PDSC Strategic Plan (2016-2021, *Attachment X*) the FCMS' functionality will support the agency to meet the following goals:

- Goal I: Provide competent, client-centered representation at all stages of a proceeding to include specifically strategies 2, 3, and 4.

- Goal II: Maintain a sustainable, accountable, and integrated statewide public defense system to include specifically strategies 1, 3, 6, and 7.

The FCMS will not by the nature of a technical solution provide representation or contract with external entities, however, it will provide tools to inform the agency of public defense outcomes, client satisfaction, caseload information, client demographics, financial accountability, contract monitoring, and audit capabilities. The information gleaned from these tools will help the agency to ensure qualified attorneys are available, improve monitoring of public defense contracts, maintain fiscal integrity and develop a long-term financial stability plan for PDSC programs, provide accurate and reliable information regarding Oregon public defense, and audit capabilities to ensure quality practices and prevent excessive caseloads.

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? This policy package is not tied to any performance measures. The success of the FCMS will be measured through its ability to provide a functioning financial and case management system to be operational 24-7 with the exclusion of maintenance hours. The operational performance of this system will provide internal and external users with a permissions-based infrastructure to run reports according to their role-based access, provide detailed analyses of case outcomes, attorney qualifications, attorney caseloads,

contract oversight, case milestones, basic event data, and case information, as well as timekeeping assistance for both external and internal tracking.

Through the capabilities mentioned above, PDSC will be able to measure the success of this policy option package by compiling data which can be utilized for analyses to meet legislative requests, compare Oregon public defense outcomes against national standards and best practices, and ensure that PDSC is able to provide a transparent representation of public defense work provided to indigent Oregonians. Additionally, PDSC business operations will gainfully be afforded with modern technology and tools allowing for proper data management, payment processing, and dashboards to assist in meeting not only the agency's strategic plan, but the needs and requirements of Oregon public defense.

A cloud hosted FCMS is expected to afford the agency with a modern technology platform in which it can assist users in conducting quality, accurate, and effective work. As technology is ever changing and advancements occurring daily; PDSC by purchasing a COTS product will benefit from an operational product reducing development time, timely upgrades when new features are available, and a one-time product investment (to exclude maintenance fees). By implementing a product that continuously receives upgrades allows for the agency to benefit from a system that will provide the most current and effective tools to internal and external users. These upgrades will ensure that the system maintains optimal performance and little down time.

Outside of the technical advancements the system will bring to the PDSC, the long-term desire for the FCMS is to inform critical decision makers of public defense outcomes; collect, analyze, and report on public defense data that is stored within the system; monitor, evaluate, and investigate payment requests; process all public defense payments/reimbursements.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No.

What alternatives were considered and what were the reasons for rejecting them? In 2017 the agency began initial endeavors to request funding for a trial-level case management system. After presenting the request in the agency requested budget (ARB) for 2017-19 Biennium, the agency withdrew their request. Between the 17-19 Biennium and prior to the submission of the 2019-21 ARB the agency had several conversations with LFO and OJD to determine next steps for a new system. These discussions essentially led to the agency requesting and being funded for the implementation of a financial and case management system with project management support from OJD with the utilization of a stage gate like methodology.

While working through project documentation to move through the initiation stage the agency purchased an interim product (Nintex) to support some of the workflows that were incapable of being conducted through the current systems in place. OJD managed the creation of all Nintex products as there were no internal agency staff capable of producing outputs with this tool. Although this tool has been useful for some workflows it does not possess the robust nature an FCMS would provide to the agency and can only be considered as a temporary support tool.

In addition to the Nintex forms OPDS has been able to migrate several antiquated access databases into SQL databases. This migration has allowed several OPDS staff to simultaneously process work, rather than the singular processing that had been occurring. Each of these modifications to workflow have provided OPDS with critical tools to maintain operations, but they are not long-term resolutions.

There has been little done technically to resolve the system issues, rather the purpose has focused upon keeping the solutions alive with as little down time as possible. The agency has tried to meet modern needs by implementing other platforms such as Nintex, PowerBI, and SQL databases to meet reporting needs and ensure operational practices can occur in tandem rather than singularly. Although these platforms have afforded the agency capacity to produce required work products, they are not robust enough to allow the agency to meet the many requirements or address concerns that have been more recently brought to light.

What would be the adverse effects of not funding this POP? To date PDSC has faced critical feedback with regard to how Oregon implements public defense, specifically through contract management, oversight, and financial accountability. PDSC's current database structures are incapable of supporting daily operations, much less collect pertinent and valuable public defense data. PDSC has had to rely on data provided via monthly reports from providers, or data share agreements with Oregon Judicial partners.

Without the FCMS, PDSC would not be able to support the requests of the legislature when it comes to reporting public defense outcomes; ensure that those receiving indigent defense counsel are afforded with effective and appropriate counsel; contractors and providers are able to receive accurate and timely payments/reimbursements; evaluate internal and external business operations meet key performance measures and statutory requirements.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? The impact to other government agencies would primarily be focused upon data share agreements. Data share agreements would allow PDSC to evaluate their own internal data captured in the FCMS to data being collected elsewhere. The findings from these analyses could provide a more thorough understanding of public defense data across the criminal justice system. The outcomes afforded from

these interpretations could also inform external partners of deficiencies in their internal data, and hopefully inform the Oregon criminal justice decision makers of new approaches to how Oregon executes criminal justice policy.

What other agencies, programs or stakeholders are collaborating on this POP? None.

What is your equity analysis? This package offers the public defense community a wealth of resources that are designed to improve access to qualified and competent attorneys; understanding and awareness of public defense outcomes to better inform key actors of variables that can better assist with client representation services; and data and research functions to inform public defense decision makers about issues that could impact current policy. PDSCs mission at its core is to ensure that indigent Oregonians are afforded with competent and effective counsel, this policy package ensures that the PDSC can achieve this mission through the oversight functions and attributes the FCMS would provide.

What assumptions affect the pricing of this POP? A fully executed solution is expected to be ready by the end of the 2023-2025 biennium. High-level cost estimates to implement an integrated financial and case management system were developed through estimated market comparisons. Data gathered from various vendors and other advanced technical projects was used to generate projection models for a COTS solution hosted by either OJD or the selected System Vendor. It is estimated that by utilizing OJD for hosting services the total project cost savings is roughly $750,000.00.

Implementation Date(s): July 1, 2023.

A. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** This policy option package will impact all internal programs, some with greater impact than others. Of those whose responsibilities will be modified are that of the newly implemented Compliance, Audit, and Performance (CAP) program, Contracts, Budget and Accounts Payable (AP), and Appellate programs. Each program area will have their own workflows within the system with some crossover between programs. These adjustments in responsibility will directly impact internal processes and procedures and require a large degree of organizational change management. Each factor mentioned here will be incorporated within the scope of work for this request. The goal is for system users to be highly influential in the implementation process and work with project owners/managers to develop and inform processes which will be executed once the system is operational. To ensure that the project team is able to provide adequate organizational change management and build out system requirements that meet operational needs there is a need to underfill critical positions within the agency (primarily AP, Appellate, and Contracts). This need will be required in a limited duration capacity until the project is complete. Once the FCMS is operational and fully

implemented for internal and external users, it will need the support of two (Operations and Policy Analysts 3 (OPA 3)) System Analysts to provide training and assistance, and contract management with the solution vendor.

B. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** None.

C. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** The purpose of this request is to provide a solution that internal and external (contracted attorneys) can use to manage their caseloads and payment schedules, as well as research and reporting functions. This system would allow each contracted attorney a platform that is consistent across the state removing a cost element of contractors having to provide their own case management solution. The equality of system functionality and ease of access to case information greatly improves the counsel in which public defense attorneys can provide to their clients. Although, this request cannot predict the changes in caseloads, it does offer resolution that public defense entities are provided with a tool that is robust and capable of meeting operational needs on and offline. These predicted functionalities will allow providers to focus on their client representation needs in real time rather, while providing PDSC with valuable information that can be utilized to monitor the success of public defense in Oregon.

D. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** Two permanent positions are requested for Project support and ongoing staffing needs. *Operations and Policy Analyst 3 (2 FTE)*: these positions are currently held as limited duration positions. Currently the role of these positions is Project Management support and filled by two Project Management Institute (PMI) Certified Project Managers and funded through HB 5202 (2022). The goal of these positions once the project is implemented is to provide support as System Analysts; ensuring that users are provided with appropriate training and technical assistance.

E. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** The following table represents estimated totals and will be revised upon signed contract agreement with the selected system vendor.

F. **What are the ongoing costs?** Estimates of costs associated with the project and system will be more clear after a procurement process is complete, so estimates here are preliminary. There are two primary components of ongoing costs. Associated positions requested in this package would cost $902,435 in 2025-27, while software and vendor costs in 2025-27 are estimated

to be $3,314,620. The basis of ongoing costs would decline in the 2027-29 biennium as costs for project management, implementation, and transition wind down.

G. **What are the potential savings?** The potential savings are not fully understood as the agency's contracting has the probability of being impacted from the information gleaned from proper data and research capabilities as well as informing the agency of matters impacting public defense. Many of the savings do not appear to be monetary, but rather foundational as it will assist the agency with rebuilding Oregon public defense.

What would this policy option package do and how would it be implemented? This policy package would support the implementation of a Hybrid approach with the continuation of the OJD IAA contract and internal staff supporting new technological advancements for the agency. Continuation of the OJD IAA would be considered status quo and would have no impact on services currently provided. As the agency continues to grow and incorporate new functionality, specifically the FCMS internal staff will support this effort and ensure that adequate training and technical assistance is provided to internal and external users of the system.

Carrying forward of the OJD IAA would take place immediately and scheduled to begin July 1, 2023, to start the 2023-25 biennial service contract. PDSC is requesting the addition of three new positions (3FTE) to support new development, those being three Information Technology Service (ITS) 4 positions to perform the following work:

- ITS 4: Project Management
- ITS 4: Business Analyst – Test case development and execution
- ITS 4: Data Analyst or Business Analyst-Data clean-up and conversion; data validation; database design; report and dashboard design.

These positions would be scheduled to begin recruitment and hiring processes as early as July 1, 2023.

Why does the PDSC propose this POP? PDSC is proposing the adoption of a hybrid Information Technology infrastructure. This approach would continue the status quo support currently optimized through the interagency agreement with the Oregon Judicial Department (OJD) through its Enterprise Technology Services Division (ETSD), while new development support; particularly support of the proposed Financial and Case Management System (FCMS).

This policy package would ensure that PDSC does not face a difficult, expensive, and high-risk endeavor of separating current technical enterprise support from OJD for an insourced model that is undefined, currently under resourced, and limited in its ability to stand up enterprise level support. PDSC had acquired the support of a private contractor[6] (Elyon Strategies, Inc.) to provide a report on comprehensive information technology (IT) service plans and to continue the current level of services received from OJD/ETSD. The risk to PDSC to fully insource IT support would be a costly measure to not only the agency, but also to the state and its taxpayers as it would require a significant financial commitment to build out all functionality to be self-reliant. The Elyon report analyzed all three service

[6] Roetzheim, William. 2022. PDSC IT Service Plan: Alternative Delivery Analysis

plans and found that a fully insourced approach would increase annual costs by approximately $107,000.00 with an additional $532,000.00 one-time cost (full breakdown of each model in figure 1).

	Fully Outsourced	Fully Insourced	Hybrid
One-Time Costs			
Data Center Fit-Out	NSP	$400,000.00	NSP
Office Fit-Out	$16,800.00	$79,800.00	$16,800.00
Transition-Costs	$ -	$68,835.20	$ -
TOTAL	**$16,800.00**	**$548,635.20**	**$16,800.00**
On-Going Costs (per Month)			
Monthly Inclusive IT Support	$41,293.60	$ -	$34,417.60
Helpdesk	NSP	$18,695.83	NSP
Desktop	NSP	$23,093.17	NSP
Server	NSP	$27,984.50	NSP
EISO	NSP	$30,153.17	NSP
Networking/Telecom	NSP	$27,984.50	NSP
MS 365 & Mobile	NSP	$27,984.50	NSP
Web & Integration	NSP	$27,984.50	NSP

	Fully Outsourced	Fully Insourced	Hybrid
Management	NSP	$21,464.00	$21,464.00
Facility Management	NSP	$12,907.92	NSP
New Capability Support (F/CMS)	$60,306.33	$45,229.75	$45,229.75
Facilities: Server room	NSP	$1,000.00	NSP
Facilities: IT staff office space	$1,960.00	$9,310.00	$1,960.00
TOTAL	**$103,559.93**	**$273,791.83**	**$103,071.35**

Figure 1. Financial analysis of the three alternatives

Elyon's report also noted nine (9) non-financial factors that would significantly impact the agency according to each model and is shown below in figure 2 (*Non-Financial Factors Examined*)

Characteristic	Fully Outsourced	Fully Insourced	Hybrid
Data security and integrity.	Very High	Unknown	Very High
OCI Issues.	None identified	None identified	None identified
Disaster Recover.	Very High	Unknown	Very High
Continuity of Operations.	Very High	Unknown	Very High

Characteristic	Fully Outsourced	Fully Insourced	Hybrid
Security Incident Handling.	Very High	Unknown	Very High
Security policy management.	Very High	Unknown	Very High
Quality of support.	Very High	Unknown	Very High
Flexibility	Very High	Unknown	Very High
Interaction with SMEs for new development.	High	Very High	Very High

Figure 2. Non-Financial Factors Examined

These two tables provide a realistic overview of what PDSC is likely to experience with each service plan.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy?

With PDSC's mission to ensure eligible individuals have timely access to legal services, consistent with Oregon and national standards of justice, requires those representing indigent individuals have all resources impactful to client representation available and operational. The tools and resources in which PDSC utilizes for the implementation of public defense operations must remain secure, available, and in accordance with statute. PDSC believes the most effective way to meet this mission is to ensure that the support received through information technology maintains the highest degree of integrity and availability, while also considering the costs attributed to Oregon taxpayers. The Hybrid model affords PDSC with the most effective technical support, while ensuring costs and security are not compromised. When these efforts are successful the true work of public defense can remain the focus and recipients of these services can be met with the highest degree of representation.

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? This package is not currently tied to a performance measure.

As technology continues to evolve at a rate in which many struggle to manage, PDSC has been afforded with a critical asset in the arrangement it maintains with OJD. OJD has and continues to support many of the daily technological needs of PDSC and affords internal staff with properly updated and secure tools. The tools in which PDSC has gleaned from its contract with OJD support the efforts of public defense practice. Moving forward PDSC believes that the continued support from OJD will only further benefit; one the ability for internal staff to focus on implementing a new financial and case management system, and two allow internal IT staff to focus on providing adequate technical assistance on solutions outside the scope of the OJD contract. By working in tandem with OJD, PDSC can begin making critical advancements to current tools that have been holding the agency back from performing reliable and competent analyses.

Two recent publications (*The Sixth Amendment Center (2019) and the American Bar Association (2022)*) have called to light the need for extreme advancements in how public defense is executed in Oregon. PDSC believes that technology has a place in meeting these needs, and without the proper tools and infrastructure the ability to progress has the propensity to be delayed. The time it would require for PDSC to possibly provide similar services to what is currently achieved via the OJD contract would pull away resources that would be better allocated for more prominent public defense deficiencies. PDSC sees the Hybrid model as the most cost-effective and responsible route to ensure recipients of indigent defense, attorneys and providers, and Oregon public defense are represented to the highest degree.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No.

What alternatives were considered and what were the reasons for rejecting them? PDSC hired an industry analyst (Elyon Strategies, Inc.) to evaluate three technical support solutions, to which outsourced, insourced, and hybrid platforms were analyzed. The analysis from this report suggests the most responsible route in which PDSC should consider is that of a hybrid model. It was requested of the agency by the legislature (HB 5030 (2021)) to re-insource information technology by June 30, 2022, ending the contract with OJD. The agency had requested funding be provided for one additional year (the remainder of the 21-23 biennium) to continue contractual IT support from OJD; which was approved. PDSC continued to evaluate internally what it believes are the most responsible measures of providing information technology services, which is in agreement with the findings of Elyon's 2022 analysis.

For the reasons mentioned above, PDSC does not believe the most ethical route of sourcing IT can be met through internal functions and maintains their position to request a hybrid approach. This approach offers the resolution of some functions being maintained internally, while more critical cost prohibitive services continue to be maintained through the agreement with OJD.

What would be the adverse effects of not funding this POP? As noted above the funding requirements needed to ensure PDSC can maintain a semblance of the current technological support is exorbitant and unknown. The risk to the agency, recipients of public defense, and those who provide public defense services would be greatly impacted. The current delay in payment/reimbursement is much lower than the desired goals of the agency; the current technical staff are too few and could not meet the demands of their current roles plus that in which OJD provides; and storage and maintenance of critical data would not have the proper support to ensure integrity and security measures are met. These are only a few of the known factors that would be adversely impacted if this policy package is not funded. PDSC takes seriously the moral obligation it has to all actors of public defense and desires to make better the tools and resources that assist in that mission, and that is believed to be met through the requests of this policy package.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Oregon Judicial Department's Enterprise Technology Services Division (ETSD) is impacted by this policy package in that it would be required to maintain status quo services via the interagency agreement. This policy package does not support ETSD staff positions, only services rendered.

No other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? Oregon Judicial Department.

What is your equity analysis? This policy package supports PDSC with providing adequate tools and technical functionalities. Those capabilities ensure that contracted attorneys and providers have consistent and reliable access to timely payment/reimbursement, as well as enabling the agency to better analyze public defense outcomes. These two factors currently possess the largest detriment to those receiving access to effective counsel. Without timely access to payment/reimbursement, the attorney/provider pool continues to dwindle, and caseloads continue to increase. When tools are not robust enough to execute minimal equations for analytical comparisons the agency is unable to produce effective reports that speak to the outcomes of public defense and the type of representation indigent Oregonians and impacted by.

There are two actors that are at the forefront of the agency's considerations, those being most importantly recipients of public defense representation, but also those who provide representation to qualified recipients. PDSC does not believe the current IT infrastructure which has been provided through HB 5030 (2021) with regard to IT re-insourcing would effectively meet the obligations of the agency and detrimentally impact the services in which these two delicate and important stakeholders receive.

What assumptions affect the pricing of this POP? Historical contract values with OJD and the Elyon Strategies analysis greatly informed the pricing of this policy package, therefore leaving few assumptions.

Implementation Date(s): July 1, 2023.

A. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** New responsibilities would be a minimum, the largest being training of the new positions requested in this policy package.

B. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** Not directly.

C. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** Not directly.

D. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** The following permanent positions are requested to fulfill support of new technical capabilities:

   a. ITS 4: Project Management

   b. ITS 4: Business Analyst – Test case development and execution

   c. ITS 4: Data Analyst or Business Analyst-Data clean-up and conversion; data validation; database design; report and dashboard design.

E. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** Startup costs associated with positions only.

F. **What are the ongoing costs?** The ongoing costs would be attributed to the OJD contract, currently estimated to be $985,026 in the 2023-25 biennium.

G. **What are the potential savings?** Elyon Strategies, Inc. provided an in-depth analysis of the different options regarding the three possible solutions, (*Figure 1 Financial Analysis of the Three Alternatives*) this table shows the most cost-effective and robust support capabilities would be achieved through the Hybrid model. The one-time costs show the greatest up-front savings, however, the on-going costs per month continue to provide evidence of savings with the Hybrid model.

What would this policy option package do and how would it be implemented? This package is to provide stability by making limited durations permanent to address deficiencies in the administration of OPDS. All positions have been filled through open-competitive recruitments and have demonstrated a permanent need addressing capacity within the agency's infrastructure.

Why does the PDSC propose this POP? PDSC is proposing a package that provides stabilization to the workforce with a net zero impact. The agency recommends taking the limited duration positions allocated under HB 5030 from the 2021 regular session and provide permanency. Each of the positions are outlined below.

The agency lacks sufficient infrastructure support in operations of the agency. The investment of appropriate resources is necessary in the agency making the transition from being a pass-through agency to becoming a regulatory agency, advancing modernization efforts.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? This package aligns with the mission of PDSC by addressing capacity and deficiency issues that directly or indirectly support the delivery of services to ensure right to representation of clients is advanced.

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? No. The agency continues to demonstrate the success of these positions by the improvements made in the support of employees and delivery of services that aligns with legislative expectations.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. No.

What alternatives were considered and what were the reasons for rejecting them? Historically, the agency, under Judicial Branch authority, has created administrative positions to address the ongoing deficiencies in the agency outside of the standard budgetary process. While this is not optimal, it has demonstrated an ongoing need of investment in the infrastructure to support the needs of the agency, the provider community, and clients.

For the agency to continue to create new positions administratively outside the budget process does not provide the needed credibility from the legislature. The agency desires transparency and support by the legislature. Therefore, the agency has rejected alternatives

that could solve ongoing capacity issues administratively because the agency wants the support from the legislature in growing the agency to a mature operating system within state government, that delivers services to indigent Oregonians.

What would be the adverse effects of not funding this POP? By not funding a position for provider contracting, the agency will be hindered in its ability to execute timely contracts with providers that provide services directly to clients. This would be a direct impact to the client population, as there are already deficiencies in the system where there is not enough representation available for the client population. These positions work directly with providers in assignment of cases. Without this resource, it minimizes the agency capacity to provide these services in a timely manner.

By not funding the Human Resources Analyst 2 positions, this would eliminate the ability to provide the daily support to employees and managers in adherence to state and federal laws. This could result in unfair labor practices, grievances, and violations of employment law. This work is necessary to ensure employees receive statutorily required services protecting employee property rights.

By not funding the policy analyst positions, the agency would not have capacity for policy development or legislative support, which could result in not meeting legislative expectations and putting liability on the agency by not having documented policies that support delivery of services. Without the legislative support the agency will be lacking the resources necessary to respond to new legislative concepts, track legislation that has a direct impact on the system and the agency, nor able to provide adequate response to fiscal impacts.

By not funding the data analyst positions, the agency would not have capacity to collect and analyze data to inform modeling and reporting to the legislature. This would also be a hinderance to the Finance Case Management System project in identify data sets needed to build the system to provide informed data. As the agency builds creditability with the legislature and stakeholders, the need for informed data analysis is critical to the transparency of the agency in moving forward.

The request for these positions is to continue at the current service level without any further financial impact, keeping the agency whole. By not funding these positions the agency would regress in its ability to continue its modernization efforts. The agency would be as risk for potential litigation and transparency to the legislature.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? None.

What is your equity analysis? This package helps provide stability within the administration of the agency. Without this infrastructure, the agency could potential hinder populations impacted because there is not optimal support needed to provide services internally, nor providing delivery service externally that will directly impact the client.

What assumptions affect the pricing of this POP?

Implementation Date(s): July 1, 2023.

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** None.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** None.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** None.

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** No.

The POP requests the following in the Administrative Services Division:

Provider Contracting

The agency has delivered public defense services through a contracting process with public defense providers throughout the state. A team of four Program Analysts act as liaison to courts and providers in executing contracts with assigned jurisdictions around the state. The team works with the courts and providers to make sure the court has the attorneys necessary for the caseload in each jurisdiction. As the Parent Child Representation Program has continued to grow around the state, the capacity for the team to maintain a workload in jurisdictions has become difficult. The agency administratively created a limited duration position in 2020 to address the growing capacity issues. Compounded by the instruction by the legislature in the 2021 regular legislative session, the agency was to align contracts on a biennial basis and separate the adult criminal and juvenile contracts into separate contracts per entity, rather than one contract per entity. The agency was provided 1 limited duration Program Analyst 4 position to address these needs.

Going into the contracting cycle for the fiscal year 2023 the agency contracts have increased significantly due to realignment of agency budget, legislative expectations, and attorney capacity around the state. This continues to demonstrate the need for additional capacity in the delivery of the contracts with public defense service providers.

The agency is requesting 1 FTE Program Analyst 4 be made permanent.

Human Resources

Until 2019, PDSC had 1 FTE in Human Resources. In the 2019 short session, the agency received 9 positions in a Special Purpose Appropriate package authorized in HB 5050. 2 FTE were provided to Human Resources to address increased workload associated with new positions and implementation of Workday, the statewide personnel management system. These positions were not administratively changed by the agency, were filled by open-competitive processes, and the incumbents accepted these positions as permanent full-time employees.

In the 2021-2023 full legislative session, through HB 5030, these positions were changed from permanent full-time to limited duration by the legislature.

These two positions provide the day-to-day direct support functions to employees for the following disciplines: Workday entry, transaction processing, employee support and training; recruiting and hiring; payroll and benefit coordination; protected leave; injury claims and workers' compensation; employment verifications; maintaining employee personnel files; and position description management

Since 2017, the agency has doubled the position classifications managed in Human Resources. The agency's growth has increased by 44% over the past four years. A standard workforce for HR services in state government is 6-16, depending on the size of the agency, but the disciplines of HR are the same.

Unique to OPDS is the agency is an independent agency within the Judicial branch with governing statutes requiring the agency to adopt personal plans, and a compensation and classification system consistent with state government as approved by the PDSC. The agency does not have the benefit of having a centralized HR resources like Executive Branch for personnel policies, training, and the like. While OJD serves courts around the entire state, the HR infrastructure is at 21 FTE due to the volume of work, but are staff dedicated to the disciplines appropriately. HR has enjoyed little investment in the appropriate infrastructure to support employees and maintain a work environment that provides for fair and equitable treatment of all employees.

The agency is requesting 2 FTE Human Resources Analyst 2 be made permanent.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** None

f. **What are the ongoing costs? PS & S&S** If this package is adopted and included in the PDSC 2025-27 base budget, the total cost in Executive, CAP and Administrative Services Division would be $2,085,123.

g. **What are the potential savings?** None.

What would this policy option package do and how would it be implemented? The funding and FTE would be used to reinstate the needed position and keep the CSS team whole, keeping up with the current workload.

Why does the PDSC propose this POP? In the 2021 budget process a Program Analyst 1 was removed from this team of 4. Given the workload of intake there is a need to have 2 Program Analyst 1's completing the intake process at all times. Intake takes time, it currently is a manual process that many times requires reaching out to the attorney that submitted the request for clarification. This is a time sensitive process for the attorneys that requested the CSS, the work can't be completed until the agency has pre-approved the work.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? Keeping a team of four on the CSS team will contribute to the agency's mission directly supporting the needs of the providers to obtain pre-approval of case related services in a timely manner. Enabling the provider to get the services needed for each case**.**

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? Not tied to a performance measure.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. None.

What alternatives were considered and what were the reasons for rejecting them? Currently there is a person filling this need and the agency is paying for the position out of vacancy savings. Other option is to not have the position and slow the entire process down.

What would be the adverse effects of not funding this POP? Proper intake takes time is key to ensuring that the rest of system runs effectively. Currently process is completely manual that many times requires reaching out to the attorney that submitted the request for clarification. This is a time sensitive process for the attorneys that request the CSS and requested services can't begin until the agency has completed its process to pre-approve the work. Without this position everything slows down.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? None.

What assumptions affect the pricing of this POP? One permanent full time Program Analyst 1**.**

Implementation Date(s): July 1, 2023.

A. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** Currently there is a person filling this need and the agency is paying for the position out of vacancy savings.

B. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** None, already paying for this out of vacancy savings.

C. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** None.

D. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** One permanent full time Program Analyst 1**.**

E. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** None.

F. **What are the ongoing costs?** One permanent full time Program Analyst 1**.** If this package is adopted and included in the PDSC 2025-27 base budget, the total cost would be $249,214.

G. **What are the potential savings?** None.

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 010 - Vacancy Factor and Non-ORPICS Personal Services | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	(425,140)	-	-	-	-	-	(425,140)
Total Revenues	**($425,140)**	**-**	**-**	**-**	**-**	**-**	**($425,140)**
Personal Services							
All Other Differential	(475,207)	-	-	-	-	-	(475,207)
Public Employees' Retire Cont	(85,157)	-	-	-	-	-	(85,157)
Pension Obligation Bond	156,814	-	-	-	-	-	156,814
Social Security Taxes	(36,354)	-	-	-	-	-	(36,354)
Paid Family Medical Leave Insurance	(1,901)	-	-	-	-	-	(1,901)
Mass Transit Tax	16,665	-	-	-	-	-	16,665
Vacancy Savings	-	-	-	-	-	-	-
Total Personal Services	**($425,140)**	**-**	**-**	**-**	**-**	**-**	**($425,140)**
Total Expenditures							
Total Expenditures	(425,140)	-	-	-	-	-	(425,140)
Total Expenditures	**($425,140)**	**-**	**-**	**-**	**-**	**-**	**($425,140)**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 021 - Phase-in | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	62,579	-	-	-	-	-	62,579
Total Revenues	**$62,579**	**-**	**-**	**-**	**-**	**-**	**$62,579**
Services & Supplies							
Instate Travel	1,225	-	-	-	-	-	1,225
Employee Training	5,528	-	-	-	-	-	5,528
Office Expenses	5,457	-	-	-	-	-	5,457
Telecommunications	535	-	-	-	-	-	535
Data Processing	3,707	-	-	-	-	-	3,707
Publicity and Publications	192	-	-	-	-	-	192
Professional Services	7,273	-	-	-	-	-	7,273
IT Professional Services	7,002	-	-	-	-	-	7,002
Dues and Subscriptions	310	-	-	-	-	-	310
Facilities Rental and Taxes	18,286	-	-	-	-	-	18,286
Facilities Maintenance	428	-	-	-	-	-	428
Other Services and Supplies	3,904	-	-	-	-	-	3,904
Expendable Prop 250 - 5000	2,039	-	-	-	-	-	2,039
IT Expendable Property	6,693	-	-	-	-	-	6,693
Total Services & Supplies	**$62,579**	**-**	**-**	**-**	**-**	**-**	**$62,579**
Total Expenditures							
Total Expenditures	62,579	-	-	-	-	-	62,579
Total Expenditures	**$62,579**	**-**	**-**	**-**	**-**	**-**	**$62,579**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 021 - Phase-in | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 022 - Phase-out Pgm & One-time Costs | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	-	-	-	-	-	-	-
Total Revenues	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Services & Supplies							
Instate Travel	-	-	-	-	-	-	-
Employee Training	-	-	-	-	-	-	-
Office Expenses	-	-	-	-	-	-	-
Telecommunications	-	-	-	-	-	-	-
Data Processing	-	-	-	-	-	-	-
Publicity and Publications	-	-	-	-	-	-	-
Professional Services	-	-	-	-	-	-	-
IT Professional Services	-	-	-	-	-	-	-
Dues and Subscriptions	-	-	-	-	-	-	-
Facilities Rental and Taxes	-	-	-	-	-	-	-
Fuels and Utilities	-	-	-	-	-	-	-
Facilities Maintenance	-	-	-	-	-	-	-
Other Services and Supplies	-	-	-	-	-	-	-
Expendable Prop 250 - 5000	-	-	-	-	-	-	-
IT Expendable Property	-	-	-	-	-	-	-
Total Services & Supplies	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 022 - Phase-out Pgm & One-time Costs | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Total Expenditures							
Total Expenditures	-	-	-	-	-	-	-
Total Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	525,643	-	-	-	-	-	525,643
Total Revenues	**$525,643**	**-**	**-**	**-**	**-**	**-**	**$525,643**
Services & Supplies							
Instate Travel	425	-	-	-	-	-	425
Employee Training	2,871	-	-	-	-	-	2,871
Office Expenses	11,546	-	-	-	-	-	11,546
Telecommunications	6,382	-	-	-	-	-	6,382
State Gov. Service Charges	292,730	-	-	-	-	-	292,730
Data Processing	4,513	-	-	-	-	-	4,513
Publicity and Publications	122	-	-	-	-	-	122
Professional Services	9,176	-	-	-	-	-	9,176
IT Professional Services	114,135	-	-	-	-	-	114,135
Dues and Subscriptions	198	-	-	-	-	-	198
Facilities Rental and Taxes	53,454	-	-	-	-	-	53,454
Facilities Maintenance	189	-	-	-	-	-	189
Other Services and Supplies	8,910	-	-	-	-	-	8,910
Expendable Prop 250 - 5000	843	-	-	-	-	-	843
IT Expendable Property	20,149	-	-	-	-	-	20,149
Total Services & Supplies	**$525,643**	**-**	**-**	**-**	**-**	**-**	**$525,643**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Total Expenditures							
Total Expenditures	525,643	-	-	-	-	-	525,643
Total Expenditures	**$525,643**	**-**	**-**	**-**	**-**	**-**	**$525,643**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 032 - Above Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	1,596	-	-	-	-	-	1,596
Total Revenues	**$1,596**	**-**	**-**	**-**	**-**	**-**	**$1,596**
Services & Supplies							
Facilities Rental and Taxes	1,596	-	-	-	-	-	1,596
Total Services & Supplies	**$1,596**	**-**	**-**	**-**	**-**	**-**	**$1,596**
Total Expenditures							
Total Expenditures	1,596	-	-	-	-	-	1,596
Total Expenditures	**$1,596**	**-**	**-**	**-**	**-**	**-**	**$1,596**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 104 - Program Design and Research | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	367,033	-	-	-	-	-	367,033
Total Revenues	**$367,033**	**-**	**-**	**-**	**-**	**-**	**$367,033**
Personal Services							
Class/Unclass Sal. and Per Diem	131,712	-	-	-	-	-	131,712
Empl. Rel. Bd. Assessments	46	-	-	-	-	-	46
Public Employees' Retire Cont	23,603	-	-	-	-	-	23,603
Social Security Taxes	10,076	-	-	-	-	-	10,076
Paid Family Medical Leave Insurance	527	-	-	-	-	-	527
Worker's Comp. Assess. (WCD)	40	-	-	-	-	-	40
Flexible Benefits	35,259	-	-	-	-	-	35,259
Total Personal Services	**$201,263**	**-**	**-**	**-**	**-**	**-**	**$201,263**
Services & Supplies							
Office Expenses	23,190	-	-	-	-	-	23,190
Telecommunications	2,280	-	-	-	-	-	2,280
Data Processing	15,750	-	-	-	-	-	15,750
Facilities Rental and Taxes	77,700	-	-	-	-	-	77,700
Facilities Maintenance	1,820	-	-	-	-	-	1,820
Other Services and Supplies	16,590	-	-	-	-	-	16,590
IT Expendable Property	28,440	-	-	-	-	-	28,440
Total Services & Supplies	**$165,770**	**-**	**-**	**-**	**-**	**-**	**$165,770**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 104 - Program Design and Research | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Total Expenditures							
Total Expenditures	367,033	-	-	-	-	-	367,033
Total Expenditures	**$367,033**	**-**	**-**	**-**	**-**	**-**	**$367,033**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Positions							
Total Positions							1
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**1**
Total FTE							
Total FTE							0.88
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**0.88**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 105 - FCMS | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	7,472,009	-	-	-	-	-	7,472,009
Total Revenues	**$7,472,009**	**-**	**-**	**-**	**-**	**-**	**$7,472,009**
Personal Services							
Class/Unclass Sal. and Per Diem	504,864	-	-	-	-	-	504,864
Empl. Rel. Bd. Assessments	159	-	-	-	-	-	159
Public Employees' Retire Cont	90,472	-	-	-	-	-	90,472
Social Security Taxes	38,621	-	-	-	-	-	38,621
Paid Family Medical Leave Insurance	2,019	-	-	-	-	-	2,019
Worker's Comp. Assess. (WCD)	138	-	-	-	-	-	138
Mass Transit Tax	3,029	-	-	-	-	-	3,029
Flexible Benefits	120,888	-	-	-	-	-	120,888
Total Personal Services	**$760,190**	**-**	**-**	**-**	**-**	**-**	**$760,190**
Services & Supplies							
Instate Travel	1,785	-	-	-	-	-	1,785
Employee Training	8,052	-	-	-	-	-	8,052
Office Expenses	7,950	-	-	-	-	-	7,950
Telecommunications	780	-	-	-	-	-	780
Data Processing	5,400	-	-	-	-	-	5,400
Publicity and Publications	279	-	-	-	-	-	279
Professional Services	10,596	-	-	-	-	-	10,596
IT Professional Services	6,630,855	-	-	-	-	-	6,630,855
Dues and Subscriptions	450	-	-	-	-	-	450

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 105 - FCMS | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Facilities Rental and Taxes	26,640	-	-	-	-	-	26,640
Facilities Maintenance	624	-	-	-	-	-	624
Other Services and Supplies	5,688	-	-	-	-	-	5,688
Expendable Prop 250 - 5000	2,970	-	-	-	-	-	2,970
IT Expendable Property	9,750	-	-	-	-	-	9,750
Total Services & Supplies	**$6,711,819**	**-**	**-**	**-**	**-**	**-**	**$6,711,819**
Total Expenditures							
Total Expenditures	7,472,009	-	-	-	-	-	7,472,009
Total Expenditures	**$7,472,009**	**-**	**-**	**-**	**-**	**-**	**$7,472,009**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Positions							
Total Positions							3
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**3**
Total FTE							
Total FTE							3.00
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**3.00**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 107 - OJD ETS Services | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	929,270	-	-	-	-	-	929,270
Total Revenues	**$929,270**	**-**	**-**	**-**	**-**	**-**	**$929,270**
Services & Supplies							
IT Professional Services	929,270	-	-	-	-	-	929,270
Total Services & Supplies	**$929,270**	**-**	**-**	**-**	**-**	**-**	**$929,270**
Total Expenditures							
Total Expenditures	929,270	-	-	-	-	-	929,270
Total Expenditures	**$929,270**	**-**	**-**	**-**	**-**	**-**	**$929,270**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 108 - Limited Duration Positions | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	943,320	-	-	-	-	-	943,320
Total Revenues	**$943,320**	**-**	**-**	**-**	**-**	**-**	**$943,320**
Personal Services							
Class/Unclass Sal. and Per Diem	478,272	-	-	-	-	-	478,272
Empl. Rel. Bd. Assessments	159	-	-	-	-	-	159
Public Employees' Retire Cont	85,706	-	-	-	-	-	85,706
Social Security Taxes	36,587	-	-	-	-	-	36,587
Paid Family Medical Leave Insurance	1,913	-	-	-	-	-	1,913
Worker's Comp. Assess. (WCD)	138	-	-	-	-	-	138
Mass Transit Tax	6,941	-	-	-	-	-	6,941
Flexible Benefits	120,888	-	-	-	-	-	120,888
Total Personal Services	**$730,604**	**-**	**-**	**-**	**-**	**-**	**$730,604**
Services & Supplies							
Instate Travel	4,165	-	-	-	-	-	4,165
Employee Training	18,788	-	-	-	-	-	18,788
Office Expenses	18,550	-	-	-	-	-	18,550
Telecommunications	1,820	-	-	-	-	-	1,820
Data Processing	12,600	-	-	-	-	-	12,600
Publicity and Publications	651	-	-	-	-	-	651
Professional Services	24,724	-	-	-	-	-	24,724
IT Professional Services	23,800	-	-	-	-	-	23,800
Dues and Subscriptions	1,050	-	-	-	-	-	1,050

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 108 - Limited Duration Positions | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Facilities Rental and Taxes	62,160	-	-	-	-	-	62,160
Facilities Maintenance	1,456	-	-	-	-	-	1,456
Other Services and Supplies	13,272	-	-	-	-	-	13,272
Expendable Prop 250 - 5000	6,930	-	-	-	-	-	6,930
IT Expendable Property	22,750	-	-	-	-	-	22,750
Total Services & Supplies	**$212,716**	**-**	**-**	**-**	**-**	**-**	**$212,716**
Total Expenditures							
Total Expenditures	943,320	-	-	-	-	-	943,320
Total Expenditures	**$943,320**	**-**	**-**	**-**	**-**	**-**	**$943,320**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Positions							
Total Positions							3
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**3**
Total FTE							
Total FTE							3.00
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**3.00**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 109 - CSS Position | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	235,394	-	-	-	-	-	235,394
Total Revenues	**$235,394**	**-**	**-**	**-**	**-**	**-**	**$235,394**
Personal Services							
Class/Unclass Sal. and Per Diem	130,056	-	-	-	-	-	130,056
Empl. Rel. Bd. Assessments	53	-	-	-	-	-	53
Public Employees' Retire Cont	23,306	-	-	-	-	-	23,306
Social Security Taxes	9,949	-	-	-	-	-	9,949
Paid Family Medical Leave Insurance	520	-	-	-	-	-	520
Worker's Comp. Assess. (WCD)	46	-	-	-	-	-	46
Mass Transit Tax	780	-	-	-	-	-	780
Flexible Benefits	40,296	-	-	-	-	-	40,296
Total Personal Services	**$205,006**	**-**	**-**	**-**	**-**	**-**	**$205,006**
Services & Supplies							
Instate Travel	595	-	-	-	-	-	595
Employee Training	2,684	-	-	-	-	-	2,684
Office Expenses	2,650	-	-	-	-	-	2,650
Telecommunications	260	-	-	-	-	-	260
Data Processing	1,800	-	-	-	-	-	1,800
Publicity and Publications	93	-	-	-	-	-	93
Professional Services	3,532	-	-	-	-	-	3,532
IT Professional Services	3,400	-	-	-	-	-	3,400
Dues and Subscriptions	150	-	-	-	-	-	150

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Administrative Services Division**

Pkg: 109 - CSS Position | **NOT AUDITED** | **Cross Reference Number: 40400-600-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Facilities Rental and Taxes	8,880	-	-	-	-	-	8,880
Facilities Maintenance	208	-	-	-	-	-	208
Other Services and Supplies	1,896	-	-	-	-	-	1,896
Expendable Prop 250 - 5000	990	-	-	-	-	-	990
IT Expendable Property	3,250	-	-	-	-	-	3,250
Total Services & Supplies	**$30,388**	**-**	**-**	**-**	**-**	**-**	**$30,388**
Total Expenditures							
Total Expenditures	235,394	-	-	-	-	-	235,394
Total Expenditures	**$235,394**	**-**	**-**	**-**	**-**	**-**	**$235,394**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Positions							
Total Positions							1
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**1**
Total FTE							
Total FTE							1.00
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**1.00**

Special Programs, Contracts, and Distributions Division

Executive Summary

Division	LAB/ACT	2021-23	2023-25 (ARB)	2025-27	2027-29
Special Programs, Contracts, and Distributions	**LAB**	380,436	584,516	619,587	656,762
	Actuals				

Program Overview

The Guardianship Program is a statewide program that provides appointed counsel to eligible respondents or protected persons in guardianship or conservatorship cases.

Long Term Focus Areas:

Ensure eligible clients have timely access and quality representation.

Primary Program Contact

Autumn Shreve – Government Relations Manager

Morgan Fitzgerald – Program Manager

Program Funding Request

Special Programs, Contracts, and Distributions	GF	OF	TF	POS	FTE
LAB 21-23	380,436		380,436	1	0.50
CSL 23-25	293,198		293,198	-	-
ARB 23-25	584,516		584,516	1	1.00
GB 23-25					
LAB 23-25					
Difference	204,080		204,080	-	0.50
Pct Change	53.6%		53.6%	0.0%	100.0%

Program Description

Currently the Guardianship program is being piloted in two counties, Lane and Multnomah. Columbia county will be added in 2023 and the remaining 33 counties will be added to the program in 2024. There are current practices in place in all three counties to find and assign lawyers to respondents/protected parties. The agency intends to implement the pilot program with as few changes to current local practices as possible.

SB 578 (2021) outlines the data request for this program with its first report to the legislature no later than September 15, 2024. The first report will contain county-level data concerning protective proceedings in the pilot counties to include:

- The number of protective proceedings initiated, by type.
- The number of protective proceedings where the respondent is 65 years of age or older at the time of petition.
- The number of proceedings granted, by type.
- The number of respondents or protected persons the court appointed counsel under 125.080, by case type.

The report will also include, to the extent possible given data availability:

- The number of cases with court appointed counsel where the payment of counsel was from the assets of the respondent or protected person, by type; and

- The number of hours court appointed counsel spent representing respondent or protected person and the average number of hours per case.

Program Justification and link to Long Term Outcomes

The agency received this program through SB 578 during the 2021 session.

Operations and Policy Analyst FTE for this program began July 2022. With this staff member, the agency will be able to work with the pilot jurisdictions to better understand the needs in this area of representation and establish the workgroup to streamline and establish policies and practices for all jurisdictions.

The first report required in SB 578 is due to the legislature no later than September 15, 2024.

Program Performance

The Pilot for this program began January 2022. SB 578 (2021) enacted this pilot and subsequent program. The program is new and data is being gathered, as required by SB 578 (2001).

Enabling Legislation

The agency received this program during the 2021 legislative session through SB 578, amending ORS 125.080.

Funding Streams

The Guardianship Program is entirely funded by General Fund.

Funding Justification and Changes to CSL

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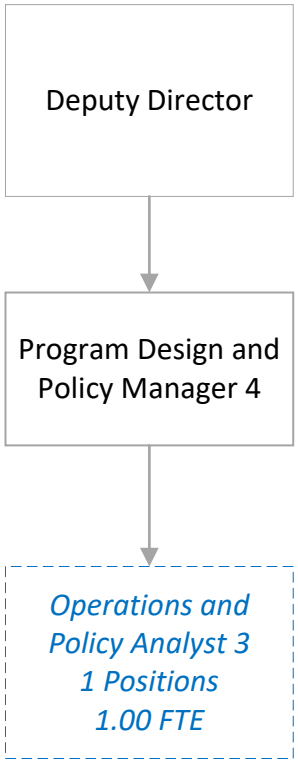
Special Programs, Contracts, and Distributions

Organizational Chart

2023-2025 Agency Request Budget

1 Positions 1 FTE



Special Programs, Contracts, and Distributions Division

Essential Packages

The essential packages present budget adjustments needed to bring the legislatively approved budget to current service level (CSL), the calculated cost of continuing legislatively approved programs into the 2023 – 25 biennium. The 2023 – 25 current service level is inclusive and only inclusive of the agency's 2023 – 25 base budget, a close derivative of the 2021 – 23 legislatively approved budget, and the essential packages, as defined in State of Oregon's biennial budget instructions.

Revenue Source

Essential packages in this Division increase the agency's General Fund budget by $23,218.

Staffing Impact

There is no staffing impact.

Package No.	Package No. Description	Fund	Amount
010	Non-PICS Personal Services Adjustments (Inflation, Vacancy Savings, etc.)	General	0
021	Program Phase-in (2021 – 23 Legislatively Adopted Packages)	General	0
022	Program Phase-out (2021 – 23 Program or Expiration of Limited Duration Positions)	General	0
031	Standard Inflation and DAS Budget Instructions Price List Adjustments	General	23,218
032	Above Standard Inflation (Medical or Analyst Approved Inflation)	General	0

Special Programs, Contracts, and Distributions Division

Essential Packages

Package No.	Package No. Description	Fund	Amount
033	Exceptional Inflation	General	0
040	Mandated Caseload	General	0
050	Fund Shifts	General	0
060	Technical Adjustments	General	0
Total 2023 – 2025 Current Service Level Essential Packages		**General**	**23,218**
BASE	2023 – 2025 Base Budget	General	269,980
2023 – 2025 Current Service Level		**General**	**293,198**

What would this policy option package do and how would it be implemented? The agency was given an Operations and Policy Analyst 3 beginning July 2022 to work with stakeholders and other interested parties to establish eligibility standards, performance standards and payment policy to be ready for the statewide roll out of this program by January 1, 2024.

Why does the PDSC propose this POP? This Program was created through SB 578 (2021) for the purpose establishing a statewide system for providing appointed counsel to eligible respondents or protected person in guardianship or conservatorship cases.

Under this new law, in many cases, individuals who are the subjects of a petition for the creation of a guardianship or a conservatorship will be provided with an attorney at state expense, if a court finds them financially eligible. There are two distinct aspects to the implementation of SB 578. First, the PDSC is directed to start providing attorneys in appropriate cases in Lane and Multnomah Counties, this started in January 2022, adding Columbia County in January 2023. The PDSC is further directed to have a statewide program for providing attorneys in these cases starting in January 2024. To create the statewide system, the agency is organizing a workgroup of stakeholders and other interested parties to research current and best practices. The Oregon Department of Justice (OJD) was separately funded to administer a survey of the statewide probate system.

To be ready for the statewide roll out of this program by January 2024 the agency needs to establish an eligibility standard for respondents/protected persons, a performance standard for services provided and a payment policy. The agency in partnership with Oregon Judicial Department (OJD) needs to develop data collection requirements to monitor the efficiency and effectiveness of the program.

How does this further the agency's mission or goals? How does this further the program funding, team outcomes or strategy? The addition of this program adds civil representation to the collection of programs the PDSC oversees. Creating a collaborative and streamlined approach to this type of representation across jurisdictions contributes to the agency's mission by directly supporting public defense attorneys and other entities that work in the public safety system providing direct or indirect legal expertise to financially eligible persons. Additionally, the disciplines provided by this program will contribute to the success of the Agency's Strategic Plan and other goals. This will support the values and priorities of the PDSC to provide services to ensure public defense attorneys and other providers are adequately supported by the investment made to the communities served by the agency.

Is this POP tied to a performance measure? If yes, identify the performance measure. If no, how will PDSC measure the success of this POP? None. Success of this package will be measured by the implementation of the guardianship/conservator program across

the state. Developing consistent policy and procedure, robust data collection and analysis of data, as well as the development of performance standard that providing stability for the delivery system and clients. representation to persons who are financially eligible. Success also means to provide clear, transparent services and support the providers of this program and the respondents that rely on these services. Ensuring consistent reporting, adequate representation, and consistency around the state regarding policies and procedures.

Does this POP require a change(s) to an existing statute or require a new statute? If yes, identify the statute and the legislative concept. None.

What alternatives were considered and what were the reasons for rejecting them? No alternatives were considered. SB 578 was passed in 2021, introducing this civil program to the PDSC.

What would be the adverse effects of not funding this POP? The guardianship/conservator program would continue to act in an ad hoc manner around the state, with little clear direction and no streamlined process and procedure to ensure a consistent approach for all clients in the system. Additionally, there would be little draw to perform this type of work for the financially eligible from attorneys without the needed services from the state. Prior to SB 578 the PDCS didn't have capacity or ability to pay for services for civil matters.

What other agencies (state, tribal and/or local government) would be affected by this POP? How would they be affected? Other agencies, tribal, and/or local governments are not directly affected by this POP.

What other agencies, programs or stakeholders are collaborating on this POP? Oregon Department of Justice; Oregon Judicial Department.

What is your equity analysis? Without SB 578 financially eligible clients of all backgrounds will continue to be impacted by the lack of continuity in the guardianship/conservator around the state. As well as a lack of affordable attorneys providing quality representation.

What assumptions affect the pricing of this POP? The assumptions affecting the pricing would be based on the implementation of the positions.

Implementation Date(s): July 1, 2023.

a. **Will there be new responsibilities for PDSC? Specify which program area(s) and describe their new responsibilities.** The Guardianship/conservator program is new to PDSC. Prior to SB 578 the PDSC didn't have a purview over any civil matters. This program requires the PDSC to set up and manage mandated court-appointed representation for individuals who are the subjects of a petition for the creation of a guardianship or a conservatorship.

b. **Will there be new Central Services impacts sufficient to require additional funding? Specify which office(s) (i.e., facilities, computer services, etc.) and describe how it will be affected.** Already exists.

c. **Will there be changes to clients or services provided to population groups? Specify how many in each relevant program.** Yes. The workgroup will be setting these

d. **Will it take new staff or will existing positions be modified? For each classification, list the number of positions and the number of months the positions will work in each biennium. Specify if the positions are permanent, limited duration, or temporary.** One permanent full time Operations Policy Analyst 3, which is a limited duration for 2021-23.

e. **What are the start-up costs, such as new or significant modifications to computer systems, new materials, outreach, and training?** None for this package.

f. **What are the ongoing costs?** If this package is adopted and included in the PDSC 2025-27 base budget, the total cost in the Special Programs, Contracts, and Distributions Division would be $308,493. The agency will fully monitor the possible increased costs that will be associated with the statewide expansion of this program to contemplate a possible ask for additional funds if necessary.

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Special Programs Contracts and Distributions**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-700-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	23,218	-	-	-	-	-	23,218
Total Revenues	**$23,218**	**-**	**-**	**-**	**-**	**-**	**$23,218**
Services & Supplies							
Instate Travel	13	-	-	-	-	-	13
Employee Training	56	-	-	-	-	-	56
Office Expenses	56	-	-	-	-	-	56
Telecommunications	5	-	-	-	-	-	5
Data Processing	38	-	-	-	-	-	38
Publicity and Publications	2	-	-	-	-	-	2
Professional Services	22,726	-	-	-	-	-	22,726
Dues and Subscriptions	3	-	-	-	-	-	3
Facilities Rental and Taxes	186	-	-	-	-	-	186
Facilities Maintenance	4	-	-	-	-	-	4
Other Services and Supplies	40	-	-	-	-	-	40
Expendable Prop 250 - 5000	21	-	-	-	-	-	21
IT Expendable Property	68	-	-	-	-	-	68
Total Services & Supplies	**$23,218**	**-**	**-**	**-**	**-**	**-**	**$23,218**
Total Expenditures							
Total Expenditures	23,218	-	-	-	-	-	23,218
Total Expenditures	**$23,218**	**-**	**-**	**-**	**-**	**-**	**$23,218**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Special Programs Contracts and Distributions**

Pkg: 031 - Standard Inflation | **NOT AUDITED** | **Cross Reference Number: 40400-700-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Special Programs Contracts and Distributions**

Pkg: 110 - Guardianship Program | **NOT AUDITED** | **Cross Reference Number: 40400-700-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	291,318	-	-	-	-	-	291,318
Total Revenues	**$291,318**	**-**	**-**	**-**	**-**	**-**	**$291,318**
Personal Services							
Class/Unclass Sal. and Per Diem	174,240	-	-	-	-	-	174,240
Empl. Rel. Bd. Assessments	53	-	-	-	-	-	53
Public Employees' Retire Cont	31,224	-	-	-	-	-	31,224
Social Security Taxes	13,329	-	-	-	-	-	13,329
Paid Family Medical Leave Insurance	697	-	-	-	-	-	697
Worker's Comp. Assess. (WCD)	46	-	-	-	-	-	46
Mass Transit Tax	1,045	-	-	-	-	-	1,045
Flexible Benefits	40,296	-	-	-	-	-	40,296
Total Personal Services	**$260,930**	**-**	**-**	**-**	**-**	**-**	**$260,930**
Services & Supplies							
Instate Travel	595	-	-	-	-	-	595
Employee Training	2,684	-	-	-	-	-	2,684
Office Expenses	2,650	-	-	-	-	-	2,650
Telecommunications	260	-	-	-	-	-	260
Data Processing	1,800	-	-	-	-	-	1,800
Publicity and Publications	93	-	-	-	-	-	93
Professional Services	3,532	-	-	-	-	-	3,532
IT Professional Services	3,400	-	-	-	-	-	3,400
Dues and Subscriptions	150	-	-	-	-	-	150

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm | **Cross Reference Name: Special Programs Contracts and Distributions**

Pkg: 110 - Guardianship Program | **NOT AUDITED** | **Cross Reference Number: 40400-700-00-00-00000**

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Facilities Rental and Taxes	8,880	-	-	-	-	-	8,880
Facilities Maintenance	208	-	-	-	-	-	208
Other Services and Supplies	1,896	-	-	-	-	-	1,896
Expendable Prop 250 - 5000	990	-	-	-	-	-	990
IT Expendable Property	3,250	-	-	-	-	-	3,250
Total Services & Supplies	**$30,388**	**-**	**-**	**-**	**-**	**-**	**$30,388**
Total Expenditures							
Total Expenditures	291,318	-	-	-	-	-	291,318
Total Expenditures	**$291,318**	**-**	**-**	**-**	**-**	**-**	**$291,318**
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Positions							
Total Positions							1
Total Positions	**-**	**-**	**-**	**-**	**-**	**-**	**1**
Total FTE							
Total FTE							1.00
Total FTE	**-**	**-**	**-**	**-**	**-**	**-**	**1.00**

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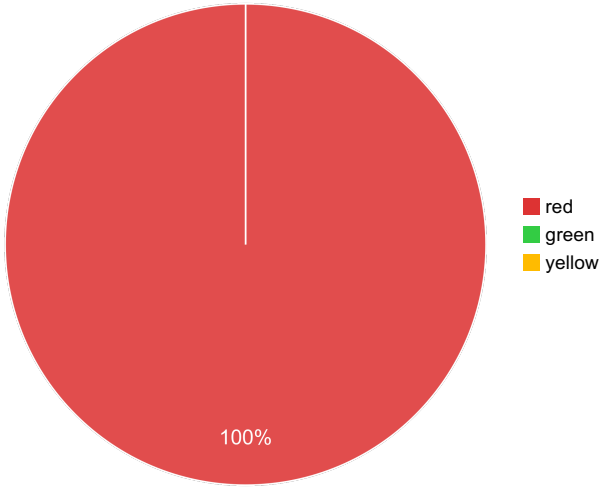
Public Defense Services Commission

Annual Performance Progress Report

Reporting Year 2021

Published: 9/30/2021 9:51:39 AM

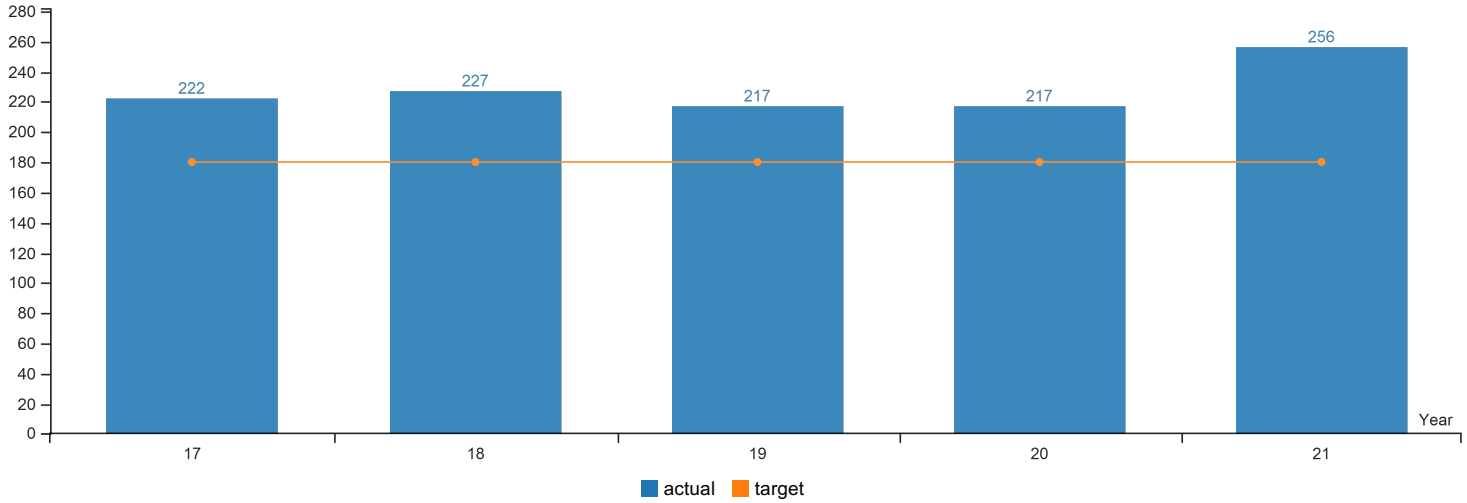
KPM #	Approved Key Performance Measures (KPMs)
1	APPELLATE CASE PROCESSING - Median number of days to file opening brief.
2	CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.
3	BEST PRACTICES FOR BOARDS AND COMMISSIONS - Percentage of total best practices met by Commission.
4	TRIAL LEVEL REPRESENTATION - During the term of the OPDS contract, percent of attorneys who obtain at least 12 hours per year of continuing legal education credit in the area(s) of law in which they provide public defense representation.[1] [1] Case types listed in the 2014-2015 Public Defense Legal Services Contract General Terms are: criminal cases, probation violations, contempt cases, civil commitment cases, juvenile cases, and other civil cases. (http://www.oregon.gov/OPDS/docs/CBS/ModelContractTerms/documents/ModKJan2014.pdf)
5	PARENT CHILD REPRESENTATION PROGRAM (PCRP) - Percent of PCRP attorneys who report spending approximately 1/3 of their time meeting with court appointed clients in cases which the attorney represents a parent or child with decision-making capacity.[1] [1] For a discussion on determining decision-making capacity, see The Obligations of the Lawyer for Children in Child Protection Proceedings with Action Items and Commentary, Oregon State Bar, Report of the Task Force on Standards of Representation in Juvenile Dependency Cases (2014).



Performance Summary	Green	Yellow	Red
	= Target to -5%	= Target -5% to -15%	= Target > -15%
Summary Stats:	0%	0%	100%

KPM #1	APPELLATE CASE PROCESSING - Median number of days to file opening brief.
	Data Collection Period: Jan 01 - Dec 31

** Upward Trend = negative result*



Report Year	2017	2018	2019	2020	2021
Median Number of Days to File Opening Brief					
Actual	222	227	217	217	256
Target	180	180	180	180	180

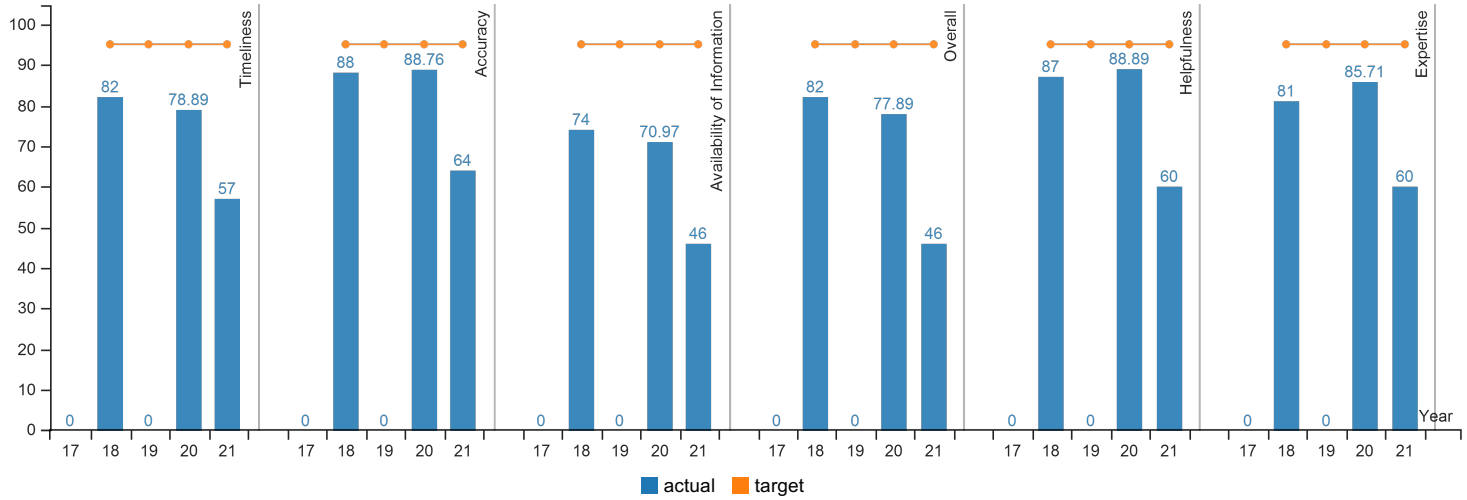
How Are We Doing

A confluence of events resulted in an anomalous recorded KPM during the last reporting year. Despite the progress made during fiscal year 2019, which reduced the median number of days to file the opening brief in the Criminal Appellate Section to 217 days, the median during fiscal year 2020 was 256 days. The complications attendant to adjusting operations in early 2020 in response to the COVID-19 pandemic required attorneys to ask for extraordinary extensions to file a brief. A significant proportion of support staff and a few attorneys separated from the agency or took extended leave. Additionally, non-management attorneys began teleworking exclusively, which required acquisition and distribution of resources with which the attorneys could complete all aspects of their job. Finally, a prolonged three-year period of increasing referrals without a corresponding increase in workforce capacity had accumulated an unprecedented number of open, unbriefed cases in the Criminal Appellate Section. Because pandemic restrictions also suspended case resolutions at the circuit court level, the Criminal Appellate Section was able to work through the backlog and the Appellate Division is in excellent position to meet its goal in 2021.

Factors Affecting Results

The ability to meet and exceed the goal correlates positively to the number of experienced attorneys and negatively to the number of cases. The agency does not control the number of referred cases. Attracting, training, and retaining competent attorneys affect progress toward the goal.

KPM #2	CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.
	Data Collection Period: Jan 01 - Jun 30



Report Year	2017	2018	2019	2020	2021
Timeliness					
Actual		82%		78.89%	57%
Target		95%	95%	95%	95%
Accuracy					
Actual		88%		88.76%	64%
Target		95%	95%	95%	95%
Availability of Information					
Actual		74%		70.97%	46%
Target		95%	95%	95%	95%
Overall					
Actual		82%		77.89%	46%
Target		95%	95%	95%	95%
Helpfulness					
Actual		87%		88.89%	60%
Target		95%	95%	95%	95%
Expertise					
Actual		81%		85.71%	60%
Target		95%	95%	95%	95%

How Are We Doing

The most recent survey was conducted in August 2021. The survey results indicate a lower level of satisfaction with customer service in 2020 than the survey results from 2019. The overall service provided by OPDS was rated as good or excellent by 46% of the respondents. The standard reporting measure for state agencies groups both “good” and “excellent” into one category. In the categories of helpfulness and expertise, 60% of respondents rated the agency’s service as “good” or “excellent.” In the category of accuracy, 64% of respondents rated the agency’s service as “good” or “excellent.” OPDS’s ratings were down in every category in 2020 when compared to 2019.

Factors Affecting Results

OPDS implemented a large-scale change in its contracting model beginning January 1, 2020. The agency shifted from paying contract attorneys a flat fee per case rate to a full-time equivalent (FTE) contracting model in which the agency contracted for attorneys’ time that they work on public defense cases. Under the new contract, attorneys receive a set monthly contract amount for appointments to public defense cases.

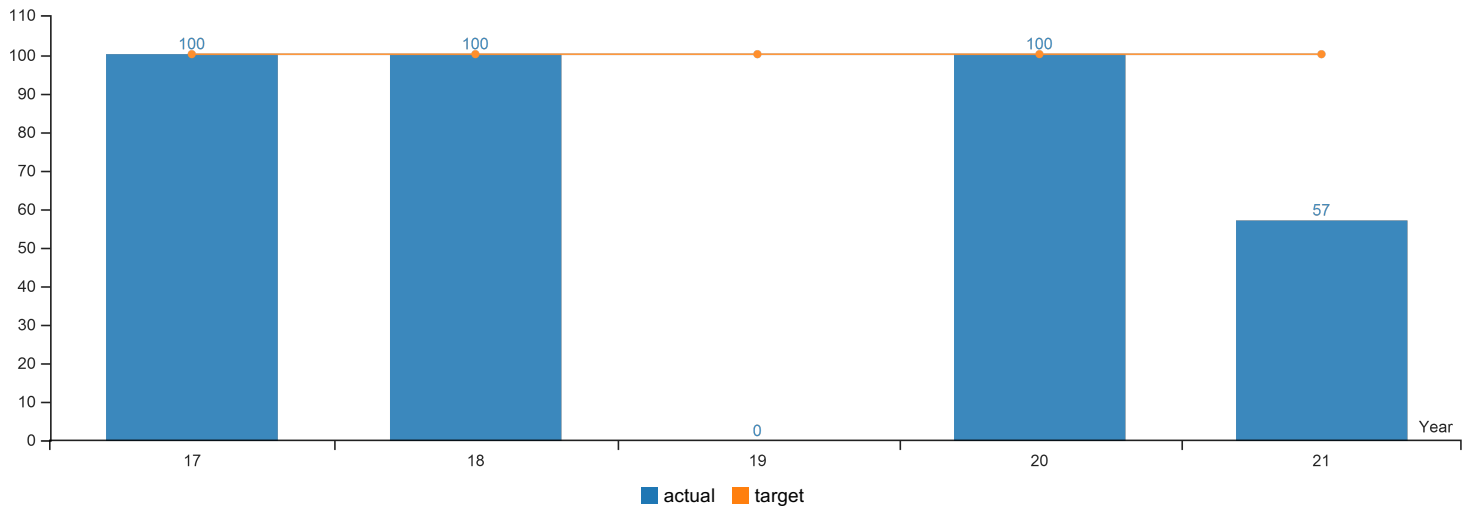
As with the implementation of any new model, OPDS has encountered unforeseen questions and issues with the new contracts. Moreover, as explained in last year’s KPM report, the agency learned in April 2020 that it would not receive additional funding from the $20 million that had been set aside in the Special Appropriation Account, and it had to scale back its original plans while still implementing the new contract model. The lack of increased funding for trial-level providers led the agency to set attorney caseload standards for the FTE contracts much higher than the agency would have liked. That combined with a backlog of cases in the system from the courts being closed during the pandemic has led to high open caseloads for contract attorneys while at the same time, they are adjusting to the new contract model.

Additionally, OPDS’s Executive Director resigned in June, and the agency is currently headed by an interim director. OPDS was allocated several new positions and directed to restructure agency staff in its latest budget bill. That has led to a focus on hiring for those new positions, reorganization of staff within the agency, and an influx of new employees to the agency.

The combination of the internal agency changes and the large-scale change in the contracting model has contributed to lower ratings for the agency in all categories.

KPM #3	BEST PRACTICES FOR BOARDS AND COMMISSIONS - Percentage of total best practices met by Commission.
	Data Collection Period: Jan 01 - Dec 31

** Upward Trend = positive result*



Report Year	2017	2018	2019	2020	2021
Percentage of total best practices met					
Actual	100%	100%		100%	57%
Target	100%	100%	100%	100%	100%

How Are We Doing

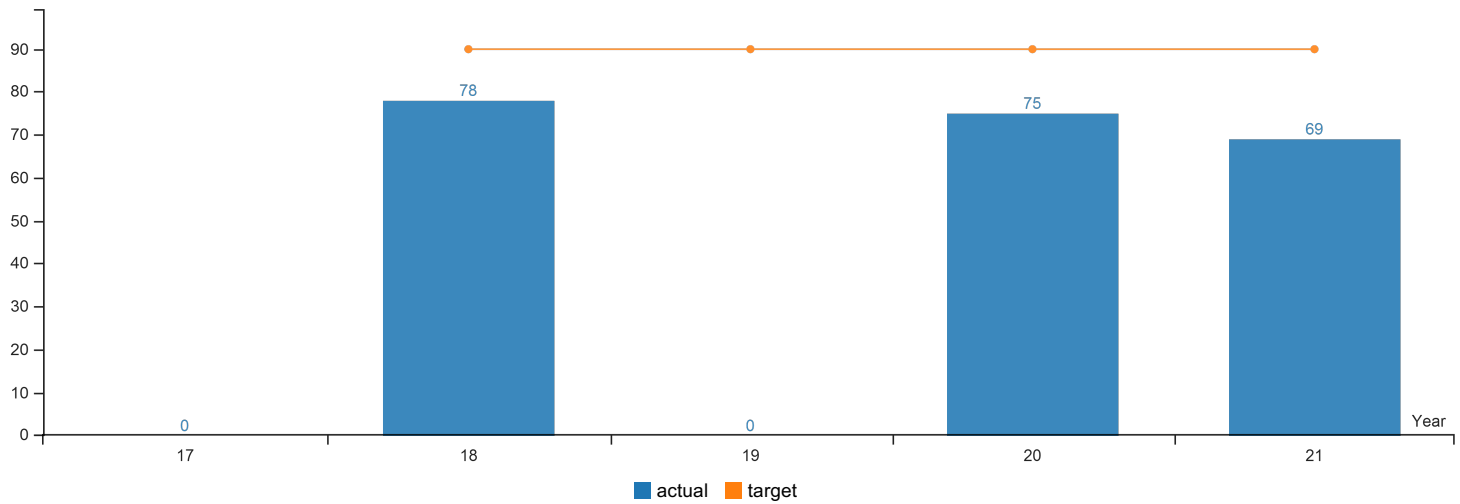
For 2020, OPDS evaluated the PDSC as it relates to Best Practices for Boards and Commissions. It concluded that the PDSC satisfied 8 of the 14 criteria. Gaps for the PDSC were failing to conduct an annual performance review of the executive director; failure to ensure its mission and high level goals are current and applicable; failure to review agency's key communications; failure to review key financial information and audit findings; failure to appropriately account for resources; and failure to review its management practices.

Factors Affecting Results

There was a significant communication gap between the executive director and the members of the PDSC, which resulted in PDSC members being uninformed about key agency action, expenditures, and communications. The agency now has an interim executive director as it searches for a new executive director. Additionally, the issues surrounding Covid-19 impacted the ability for the PDSC to meet its KPMs, as public meetings became more difficult to schedule and conducting business in a virtual forum became more challenging. Finally, the agency has been undergoing a significant modernization effort following the publication of the 6AC Report – the Right to Counsel in Oregon – in January 2019. Those efforts required undoing decades of practices, and structurally, given the time availability of a volunteer commission and limited number of agency staff, it was challenging to coordinate all agency action with the PDSC.

KPM #4	TRIAL LEVEL REPRESENTATION - During the term of the OPDS contract, percent of attorneys who obtain at least 12 hours per year of continuing legal education credit in the area(s) of law in which they provide public defense representation.[1] [1] Case types listed in the 2014-2015 Public Defense Legal Services Contract General Terms are: criminal cases, probation violations, contempt cases, civil commitment cases, juvenile cases, and other civil cases. (http://www.oregon.gov/OPDS/docs/CBS/ModelContractTerms/documents/ModKJan2014.pdf)
	Data Collection Period: Jan 01 - Dec 31

** Upward Trend = positive result*



Report Year	2017	2018	2019	2020	2021
Percent of Attorneys with 12 CLE Credits Annually					
Actual		78%		75%	69%
Target		90%	90%	90%	90%

How Are We Doing

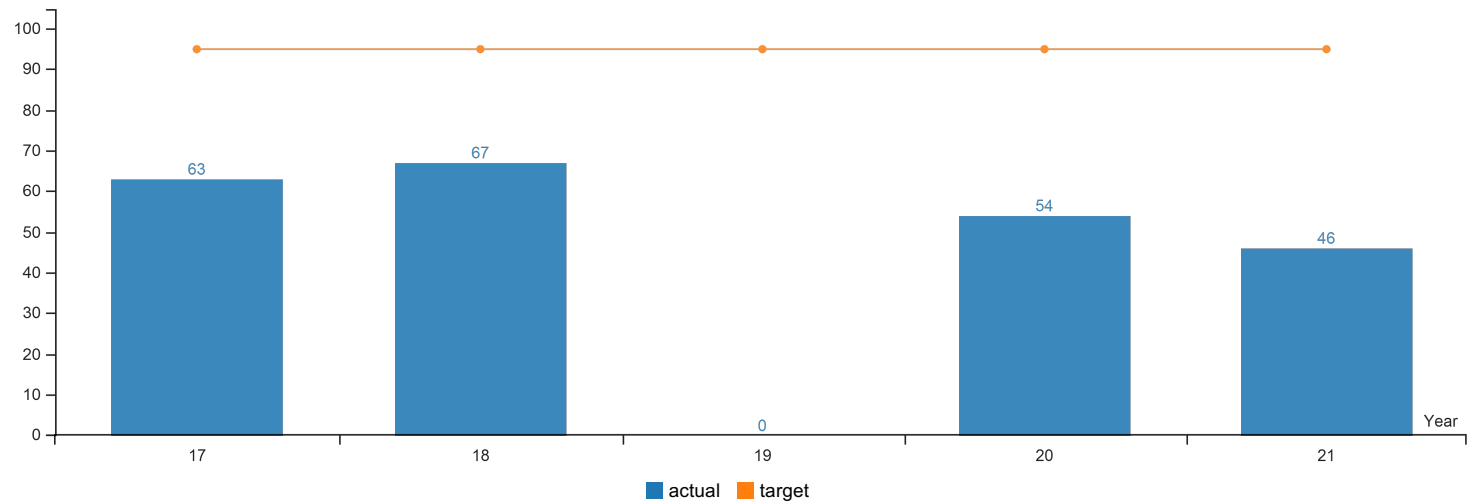
The survey was completed by 81 attorneys. Of the respondents, 69% reported obtaining at least 12 CLE credits related to public defense work in the calendar year 2020.

Factors Affecting Results

This year's percentage of respondents reporting obtaining 12 or more CLE credits is slightly lower than last year, but it is understandable. CLE opportunities for all lawyers was greatly diminished because the state was essentially locked down for all of 2020 due to the global pandemic. Many longer CLE programs and conferences were not offered, and shortened virtual course were offered in their place. Given the pandemic, it is not surprising that fewer attorneys obtained 12 or more CLE credits. Although only 69% of respondents obtained 12 or more CLE credits, 13% obtained between six and 11 CLE credits, and 18% obtained between one and five credits.

KPM #5	PARENT CHILD REPRESENTATION PROGRAM (PCRP) - Percent of PCRP attorneys who report spending approximately 1/3 of their time meeting with court appointed clients in cases which the attorney represents a parent or child with decision-making capacity.[1] [1] For a discussion on determining decision-making capacity, see The Obligations of the Lawyer for Children in Child Protection Proceedings with Action Items and Commentary, Oregon State Bar, Report of the Task Force on Standards of Representation in Juvenile Dependency Cases (2014).
	Data Collection Period: Jul 01 - Jun 30

** Upward Trend = positive result*



Report Year	2017	2018	2019	2020	2021
Percent of PCRP Attorneys Spending 1/3 Time Meeting With Clients					
Actual	63%	67%		54%	46%
Target	95%	95%	95%	95%	95%

How Are We Doing

This Key Performance Measure separates representation of clients with decision-making capacity from representation of clients with diminished capacity (typically young children). However, data gathered by the Parent Child Representation Program (PCRP) program does not distinguish based on decision-making capacity. Therefore, the data reported for this KPM includes time spent with all clients.

From July 2019-June 2020, 46% of the PCRP attorneys report spending approximately one-third of their time meeting with clients. During this time period, the PCRP attorneys spent an average of 34% of their time meeting with clients.

Factors Affecting Results

This measure analyzes attorney performance in PCRP's initial five implementation counties: Linn and Yamhill (2014), Columbia County (2016); and Coos and Lincoln Counties (2018). The COVID pandemic and its public health restrictions were intact for nearly half of the relevant timeframe. There is a notable decline (approximately 8%) in the percentage of attorneys reporting more than one-third client communication time that aligns with the start of the COVID pandemic. This decline brings down the entire measure. The lower rate of attorneys meeting the one-third target may be related to COVID and its restrictions, including, for example, court closures, lack of access to technology/communication tools by clients.

The Parent Child Representation Program case managers add to the client communication time with defense team. Case Managers are social service professionals and work as part of the legal representation team in 10-15% of the cases. Case managers work with attorneys to address non-legal barriers and help achieve timely and sensible case resolution is a best practice and a critical

component of the success of the PCRP. The PCRP case managers are required to spend at least 85% of their time in direct service work, providing an additional investment in client contact by the defense team.

The agency needs to continue monitoring the quality of work provided by lawyers in the Parent Child Representation Program. Additional consideration should be given to the data collection and utilization process. There should be further examination of which metrics are most sensible to measure and which are indicative of standard's based legal representation associated with improving client engagement and court outcomes. Mixed-methods (quantitative and qualitative) data should also be used to establish benchmarks which are indicative of effective legal representation. OPDS is undergoing agency wide modernization, which will include refinement and improvement of PCRP data collection, analysis, and application.

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Public Defense Services Commission and Office of Public Defense Services

Affirmative Action Plan

23-25 Biennium

Public Defense Services Commission and

Office of Public Defense Services

Affirmative Action Plan 2023-2025 Biennium

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Agency Description

The Public Defense Services Commission (PDSC) is a nine-member commission appointed by the Chief Justice of the Oregon Supreme Court that serves as the governing body for Oregon's public defense system. The Commission provides policy direction and oversight for the administration of the system. As required by ORS 151.216(1)(b), the Commission oversees the Office of Public Defense Services (OPDS) that serves as the administrative agency responsible for carrying out the Commission's directives and other statutorily defined duties. The legal services provided by OPDS represent an essential component of Oregon's public safety system.

The mission of OPDS is to establish and maintain a public defense system that ensures the provision of public defense services consistent with the Oregon Constitution, the United States Constitution and Oregon and national standards of justice.

OPDS employs 113 staff. The office includes the Executive Division, the Compliance, Audit, and Performance Division, the Appellate Division (AD), and the Administrative Services Division. The agency negotiates contracts with trial level public defense providers and administers and distributes funds for representation and related services for cases during the biennium for criminal, juvenile, and civil commitment cases. The agency provides compliance and oversight to the trial community providers through quality assurance practices, training, and education. Financial Services processes all expenses related to representation in public defense cases. The Appellate Division provides direct legal representation in the state appellate courts in criminal cases, juvenile dependency and termination of parental rights cases, and parole cases. Other services in the agency include, Data Collection and Analysis, General Counsel, Human Resources, Information Technology Services, Internal Audit, and Policy Development.

Objectives

- An agency that is a model for other agencies in its responsiveness to clients, customers and stakeholders;
- An Appellate Division that serves as a vigilant guardian of the legal rights of public defense clients and the public's interest in equal justice and due process of law;
- Program delivery and accountability that provide efficient and effective management of public defense resources statewide;
- A Public Defense Services Commission that strives to be a visionary planner, a responsive and cooperative policy maker, and a responsible steward of taxpayer dollars.

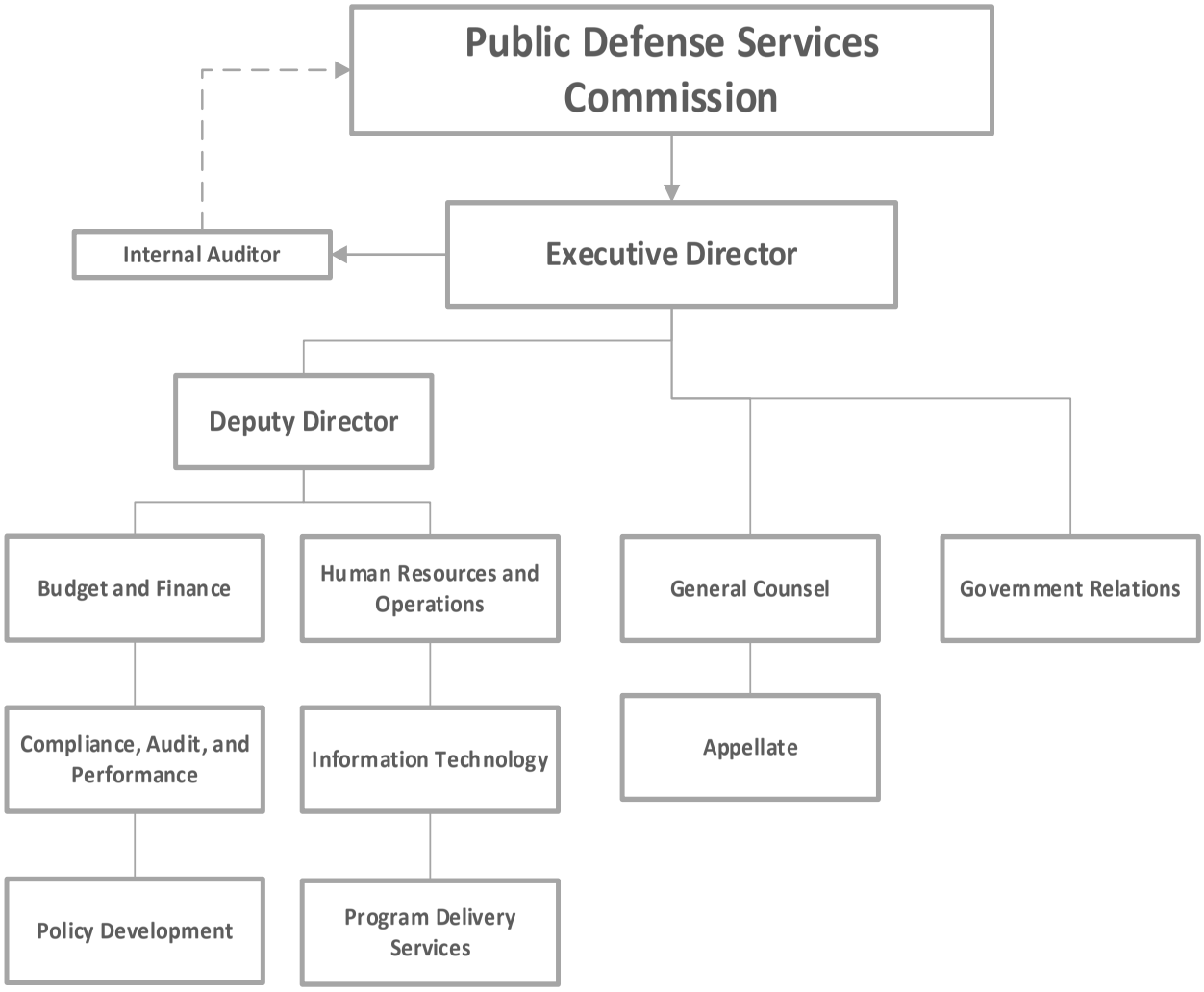
Executive Director

Stephen Singer, Executive Director, 198 Commercial St SE, Suite 200, Salem, OR 97301; (503) 378-2515.

Affirmative Action Representative

Wendy Heckman, Human Resources Manager, 198 Commercial St SE, Suite 200, Salem, OR 97301; (503) 378-2509.

Organizational Chart



Agency Affirmative Action Policy Statement

OPDS provides a work environment free from unlawful discrimination or workplace harassment based on or because of an employee's protected class status as defined by statute. It is the policy of OPDS that mutual respect between and among supervisors, employees, temporary employees, and volunteers is integral to the efficient conduct of the agency's business. To implement that policy, employees of all service types at every level of the agency must foster an environment that encourages professionalism and is free from unlawful discrimination, harassment, and inappropriate workplace behavior.

PDSC's Affirmative Action Plan shall be followed by all OPDS staff. All personnel actions of OPDS shall be administered in accordance personnel policy and statute. OPDS's supervisory and management staff shall ensure that the intent as well as the stated requirements of the Plan are implemented. In addition, it is the duty of every employee of OPDS to create a job environment that is conducive to non-discrimination and free of any form of discrimination or discriminatory harassment.

This Affirmative Action Plan will be posted in plain sight at all times for employees' use and referral. Any agency or member of the public requesting a copy of the OPDS Affirmative Action Plan shall be provided one at no cost.

Agency Diversity & Inclusion Statement

OPDS recognizes a diverse workforce is crucial in service to Oregonians. We treat all people with dignity and respect and will not discriminate based on race, color, national origin, religion, gender, age, marital status, sexual orientation, political or religious affiliation, or physical or mental disability.

Training, Education, and Development Plan

The Oregon State Bar requires every attorney licensed to practice law in the state to attend Continuing Legal Education (CLE) programs that train and educate lawyers concerning issues of ethnic diversity and cultural competency. OPDS presents in-house training programs that satisfy these requirements

Programs

Career Fairs/Community Outreach

OPDS employees participate annually in career fairs at each of Oregon's three colleges of Law and with the Oregon Bar Association's Diversity & Inclusion program which "serves to increase the diversity of the Oregon bench and bar to reflect the diversity of the people of Oregon, by educating attorneys about the cultural richness and diversity of the clients they serve, and by removing barriers to justice." The agency is also pursing other opportunities to assist the provider community in their outreach efforts for recruiting qualified attorneys to provide public defense representation. The agency is partnering with stakeholders to develop recruiting methods to reduce and retain the resources needed to provide representation to clients that qualify for representation state-wide.

Trade-specific Events

OPDS attorneys regularly participate in the Oregon State Bar's recruitment and retention program, Opportunities for Law in Oregon (OLIO), for law students, who contribute to the bar's historically or currently underrepresented membership; who have experienced economic, social, or other barriers; who have a demonstrated interest in increasing access to justice; or who have personally experienced discrimination or oppression. The OLIO program provides OPDS the opportunity to provide mentoring and career planning skills to student members.

In addition, OPDS attorneys work closely with the three Oregon law schools, Lewis & Clark Law School, Willamette University College of Law and University of Oregon School of Law, to provide mentoring and career planning assistance to law school students.

Roles for Implementation of Affirmative Action Plan

The person responsible for discharging this policy is OPDS's Executive Director.

All supervising managers are assigned the following responsibilities:

- Brief all new employees on OPDS's Affirmative Action Plan and their role in supporting it.

- Periodically review training programs and hiring and promotion patterns in order to remove impediments to attaining affirmative action goals and objectives.

- Regularly discuss OPDS's affirmative action policy with employees to ensure the policy is being followed.

- Periodically review office policies, practices and conditions to ensure that:

    - Equal Employment Opportunity information and OPDS's affirmative action policy are properly displayed;

    - all facilities for the use and benefit of employees are in fact desegregated, both in policy and in use, exclusive of those areas excepted by federal laws and regulations;
    - all employees regardless of position or class are equally afforded a full opportunity to participate in OPDS's educational, training, recreation and social activities; and

    - all facilities are accessible to disabled employees or clients.

Complaint Process

1. Addressing unlawful discrimination, harassment, and inappropriate workplace behavior.

    a. Supervisors must address unlawful discrimination, harassment, and inappropriate workplace behavior that they observe or experience and should do so as close to the time of the occurrence as possible and appropriate.

    b. If an employee observes or experiences unlawful discrimination, harassment, or inappropriate workplace behavior and feels comfortable doing so, he or she should do one of both of the following:

        i. Redirect inappropriate conversations or behavior to workplace business; or
        ii. Tell the offending employee that his or her behavior is offensive and ask him or her to stop.

2. Employees may report violations of this policy to the ED, AA, or the HR Manager. If the employee's immediate supervisor is the person engaging in the unlawful discrimination, harassment, or inappropriate workplace behavior, the employee should report the behavior to the ED, AA, or HR manager as soon as practical. The report may be written or verbal.

3. The ED or AA shall report the alleged violation to the HR Manager, if not already notified.

4. The HR Manager, or other individual(s) designated by the ED, shall conduct an investigation into the allegations.

5. Upon completion of the investigation, if an employee is found to have engaged in unlawful discrimination, harassment, or inappropriate workplace behavior, the employee will be counseled, or depending on the severity of the behavior, may be subject to the Discipline policy.

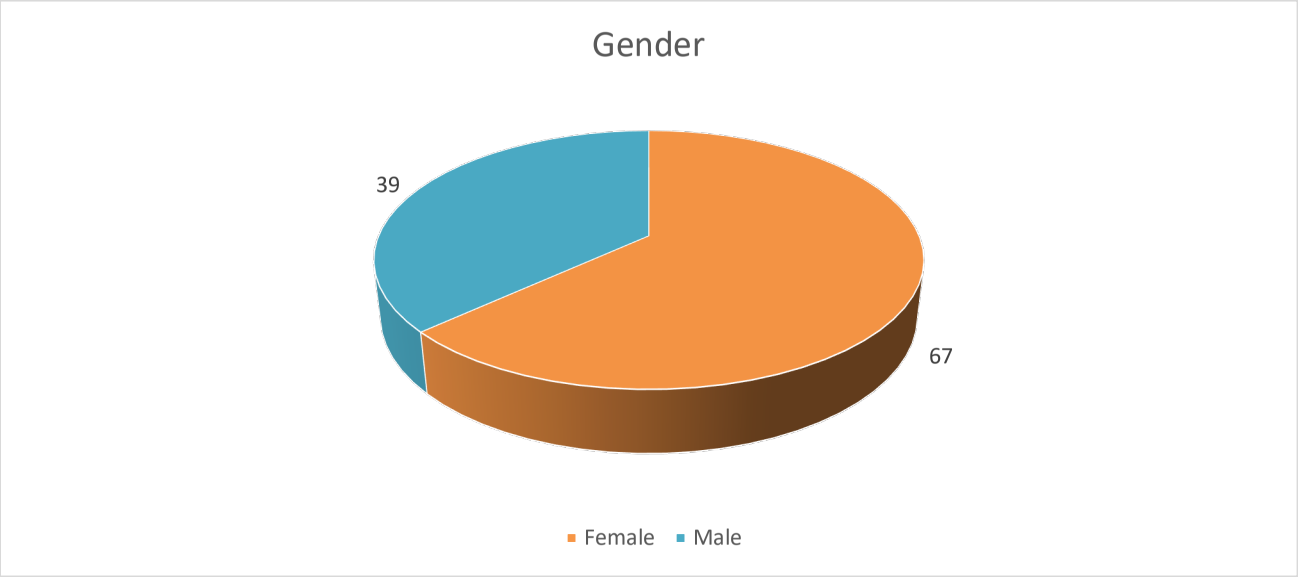
6. An employee in trial service found to have engaged in unlawful discrimination, harassment, or inappropriate workplace behavior may be removed from trial service.

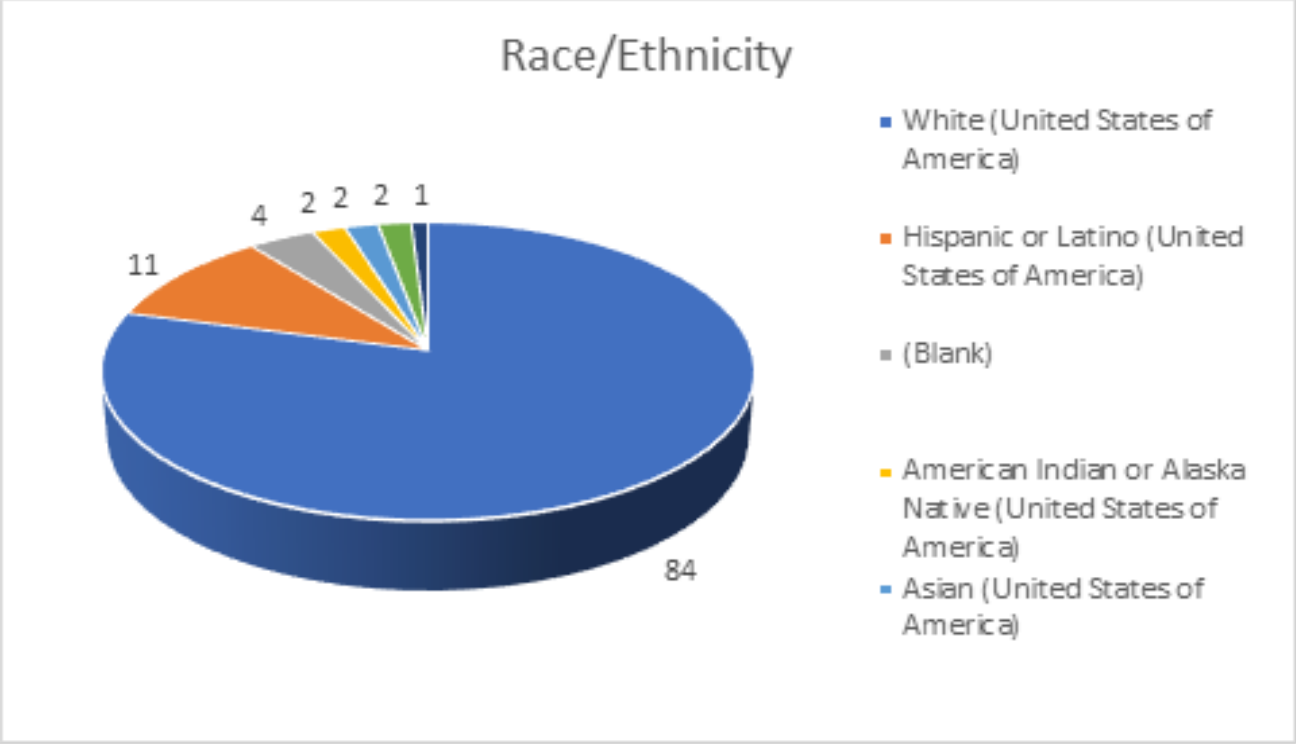
7. A supervisor who fails to address unlawful discrimination, harassment, or inappropriate workplace behavior will be counseled, or depending on the severity of the behavior, may be subject to the Discipline policy.

8. Retaliation. Retaliation against someone for addressing or reporting unlawful discrimination, harassment, or inappropriate workplace behavior is prohibited. If an employee believes that he or she is experiencing retaliation as a result of addressing or reporting unlawful discrimination, harassment, or inappropriate workplace behavior, the employee should report the retaliation to his or her immediate supervisor as soon as practical. If the employee believes that his or her immediate supervisor is engaging in retaliation, that employee should report the retaliation to the ED, AA, or HR manager as soon as practical.

Statistics

Affirmative Action Statistics are voluntary and may not accurately reflect the actual diversity of the agency.





Accomplishments

- Engaged in a contract with Coraggio Group, LLC to build shared language and understanding of diversity, equity, and inclusion work within OPDS, creating a vision and commitment to advancing equity and inclusion within OPDS. Identifying tools, trainings, and resources needed to advance equity within OPDS.
- Attended and made presentations regarding employment in public defense at job fairs and recruitment events at Oregon law schools and at national and regional events sponsored by minority law student groups and others.
- Continued to develop working relationships with criminal law faculty, career counselors, and placement offices in Oregon's three law schools to identify and recruit law students of color, with disabilities, veterans and women who might be interested in internships and attorney positions in the state's public defense system.
- Continued to participate in job fairs and recruitment programs throughout the Pacific Northwest for law students and attorneys of color, with disabilities, veterans and women who are interested in careers in public service and public defense.
- Use of Oregon Workday and the Oregon Employment Department's iMatch system for all agency external recruitments. These systems provide a wider range of outreach and sourcing of job candidates with the benefit of statistical recruitment data to better identify areas of disproportionate representation in recruitment and hiring. Researched other avenues of recruitment to reach a more diverse audience.
- Continued to encourage public defense attorneys to examine the causes of disproportionate representation of minority clients in the criminal justice, juvenile justice and child welfare systems and to identify and implement strategies to address overrepresentation.

Goals and Strategies

July 1, 2023 – June 30, 2025

- To budget appropriate resources for the agency to support agency affirmative action Goals, the agency has developed a Workforce Development Strategy with a two faceted approach, 1) providing assistance to the providers serving on behalf of the agency to provide public defense services state-wide in addressing the systemic problem faced with representation, and 2) a plan for investment of professional development for non-attorney employees. The agency has a commitment to invest in the professional growth of all employees to provide stellar services that will impact the clients served by the system. The agency will be requesting an Equity and Inclusion officer in a policy option package for the 23-25 biennium with two primary focuses; advancing diversity, equity, and inclusion in the state-wide public defense system, and implementation of a workforce development strategy.

- Expand outreach and engagement with providers of service to expand opportunities internally and externally to address the systemic issues facing citizens in their constitutional right to representation.

- Refine recruitment strategies and hiring practices to facilitate the placement and promotion of minority group personnel for both internal and external recruitments.

- Actively participate on trade and state-wide affirmative action committees, organizations and activities to promote OPDS's Affirmative Action Plan.

- Continue to distribute job announcements to all OPDS diversity partners to ensure that a diverse workforce is encouraged to apply for our job openings.

- Support a welcoming environment that is attractive to a diverse pool of applicants and employees to be inclusive, accepting and respectful of others differences and recognizes the value of each individual's unique contributions.

- OPDS will survey its contractors to obtain reliable data about workforce composition and establish appropriate goals to expand the number of minority attorneys and staff members employed in public defense in Oregon.

- In anticipation of the difficulty of recruiting successfully from the small group of minority attorneys graduating from Oregon law schools each year, OPDS will work with its contractors to develop strategies for promoting legal careers and, specifically, careers in public defense, among Oregon high school and college students.

Appendix A – PDSC and OPDS Policy Documentation

PUBLIC DEFENSE SERVICES COMMISSION'S NON-DISCRIMINATION AND AFFIRMATIVE ACTION PLAN

Introduction

The purpose of this plan is to initiate and maintain a non-discrimination and affirmative action program consistent with directives of the Governor and applicable state and federal laws and regulations.

Non-Discrimination and Affirmative Action Policy

It is the policy of the Public Defense Services Commission (PDSC) that no person shall be discriminated against by reason of race, color, national origin, religion, gender, marital status, sexual orientation, age (if the individual is 18 years of age or older), or disability not directly and substantively related to effective performance. It is also the policy of PDSC to establish a program of affirmative action to address the effects of discrimination intended and unintended, which is indicated by analysis of present employment patterns, practices and policies.

PDSC's Non-Discrimination and Affirmative Action Plan shall be followed by all Office of Public Defense Services (OPDS) staff. All personnel actions of OPDS shall be administered according to this policy. OPDS's supervisory and management staff shall ensure that the intent as well as the stated requirements of the Plan are implemented. In addition, it is the duty of every employee of OPDS to create a job environment that is conducive to non-discrimination and free of any form of discriminatory harassment.

This Non-Discrimination and Affirmative Action Plan will be posted in plain sight at all times for employees' use and referral. Any agency or member of the public requesting a copy of the PDSC Affirmative Action Plan shall be provided one at no cost.

Harassment in the Workplace Policy and Procedures

Harassment is a form of discrimination that is prohibited by state and federal law and by PDSC's Affirmative Action Policy. Any person who believes that he or she has been harassed at OPDS based on race, color, national origin, religion, gender, marital status, sexual orientation, age, or disability, or based on opposition to discrimination or participation in investigation or complaint proceedings under this policy may file a formal or informal complaint with OPDS's Executive Director. Confidentiality will be maintained to the fullest extent permitted.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

    - submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or

- such conduct has the purpose or effect of unreasonably interfering with an individual's work or creating an intimidating, hostile, or offensive working environment.

Harassment based on race, color, national origin, religion, gender, marital status, sexual orientation, age, disability, or because the employee opposed job discrimination or participated in an investigation or complaint proceeding under this policy is any objectionable act, comment or display that demeans, belittles, or causes personal humiliation or embarrassment, intimidation or threat engaged in by an individual that is directed at and offensive to another person or persons in the workplace, that the individual knew or ought reasonably to have known would cause offense or harm when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

    - submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or

    - such conduct has the purpose or effect of unreasonably interfering with an individual's work or creating an intimidating, hostile, or offensive working environment.

OPDS's informal complaint process affords an opportunity to gather information to either establish a suspicion of harassment or to attempt to resolve a disagreement without following OPDS's formal complaint procedure. An informal complaint involves the following procedures:

- The complainant submits a written or oral complaint to the Executive Director or his designee,[1] who advises the complainant of her or his right to file a formal complaint with OPDS or with other state and federal agencies.

    - The Executive Director contacts the individual or individuals accused of harassment to discuss the alleged harmful act.

    - The Executive Director develops a proposed resolution, if appropriate, and informs the parties of that proposed resolution within fifteen (15) calendar days of receipt of the informal complaint.

[1] The Executive Director will appoint as their "designee" for the purposes of OPDS's informal and formal Harassment in the Workplace complaint procedures a OPDS employee who has no management or supervisory responsibilities and who possesses personal characteristics that will not discourage employees' reports of harassment. All references to "Executive Director" in the informal and formal complaint procedures are meant to include this designee.

- If the proposed resolution is unacceptable to the complainant, she or he may file a formal complaint with the Executive Director.

OPDS's formal complaint process ensures the investigation of cases of alleged harassment, the determination as to whether or not harassment has occurred and, where appropriate, the resolution of a complaint. A formal complaint involves the following procedures:

- The complainant submits her or his complaint in writing to the Executive Director or his designee, which must be filed within 365 days of the alleged harmful act.

- The Executive Director acknowledges in a Letter of Acknowledgement receipt of the formal complaint, which includes information on the complainant's right to file a complaint with other state or federal agencies. Copies of the Letter of Acknowledgement are sent to the individual or individuals accused of harassment and the director of the relevant division of OPDS. Upon determining that the complaint is facially valid, the Executive Director conducts a thorough investigation of the complaint.

- Within thirty (30) calendar days of receipt of the formal complaint, the Executive Director informs the complainant and all persons who received copies of the Letter of Acknowledgement of the formal complaint by a Letter of Determination of the final status of the complaint, its disposition and the complainant's rights to file a complaint with other state or federal agencies.

Persons with Disabilities Policy and Procedures

It is the policy of PDSC to comply fully with Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) as amended by the 2008 ADA Amendments Act, and other applicable federal and state laws that prohibit discrimination on the basis of disability. The Rehabilitation Act and the ADA require that no qualified person shall, solely by reason of disability, be denied access to, participation in, or the benefits of, any program or activity operated by OPDS. Each qualified person shall receive the reasonable accommodations needed to ensure equal access to employment, educational opportunities, programs, and activities in the most integrated setting.

For a disability to be protected by the ADA, an impairment must substantially limit one or more major life activities. These are activities that an average person can perform with little or no difficulty, such as walking, seeing, or working. Temporary impairments, including pregnancy, are not covered as disabilities under the ADA.

OPDS's employees or qualified applicants for employment by OPDS with disabilities shall be responsible for:

- notifying OPDS in a timely fashion of their need for reasonable accommodations;
- submitting appropriate documentation of the disability from an appropriate professional prior to receiving the accommodations requested; and
    - demonstrating and documenting how the disability affects the employee's job processes, functions, responsibilities or performance evaluation criteria when requesting reasonable accommodations.

Upon receiving such notification and documentation from a disabled employee or applicant for employment requesting reasonable accommodation, OPDS shall be responsible for:

- making reasonable accommodations for a physical or mental disability, including but not limited to job restructuring, reassignment to a vacant position, part-time or modified work schedules, assistive technology, or aides or qualified interpreters, which do not create an "undue hardship" (defined as significantly difficult or expensive), and excluding the creation of new jobs or the reallocation of essential functions to another employee;
- engaging in an interactive process with the disabled employee or qualified applicant for employment with regard to the type of accommodation that will enable the individual to perform the essential functions of the relevant position;
- evaluating the employee's or applicant's physical or mental limitations in order to determine the accommodation that will be effective, excluding accommodations of a personal nature such as a guide dog for a visually impaired employee, or awheelchair;

- keeping confidential any medical information obtained from a disabled employee or applicant; and

- using qualification or performance standards, tests and other selection criteria that screen out individuals with disabilities only when they are (a) job-related and consistent with business necessity and (b) cannot be satisfied through the provision of a reasonable accommodation.