

LEGISLATIVE ACTION

Legislative Action

Budget Background

Over the past few biennia, the budget for the Oregon Judicial Department (OJD) has undergone significant change. The state financial crisis from 2007 – 2011 required significant reductions in operational budgets, resulting in 169 fewer full-time equivalent positions in the Department and temporary surcharges to court fees and fines added to the revenue structure to pay for court operations. During the 2011 Legislative Session, HB 2710 and 2712:

- Restructured revenue and statutory distributions associated with filing fees to include them in the OJD budget
- Modified presumptive fines for violations and expanded judicial discretion to reduce fines
- Changed monetary flow into and out of the Criminal Fine Account and operation of the State Court Facility and Security Account
- Moved collection and revenue management for OJD from Other Funds to General Fund
- Establish payment for Legal Aid out of filing fees

These changes required major moves in the OJD budget, establishment of new General Fund (GF) appropriations, moves between GF and Other Funds (OF) expenses, and creation of many pass-through payments of GF and OF to various entities.

For the 2011-13 budget, OJD also began full implementation of the Oregon eCourt Program. This multi-biennia program was financed through bond sales, resulting in Other Funds expenditures and increased debt service payments.

Major Changes to Budget Structure from 2013 Session

During the 2013 Legislative Session, several changes were made to the 2013-15 OJD budget. These changes were for the most part Other Funds impacts, either in the form of new programs or funding changes

- **Establishment of State Court Technology Fund and Fee Changes**

HB 2562 established the State Court Technology Fund for the purpose of funding state court electronic applications, service, systems and public access. In prior biennium, some expenditures associated with the Oregon Judicial Information Network (OJIN) were paid for from user fees associated with data access. In the 2013-15 biennium, the new State Court Technology Fund was established, intended to pay for

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the costs associated with OJIN, and with the new Oregon eCourt Case Information (OECI) system. Additionally, new costs for electronic filing of case documents would be paid for out of the fund, instead of directly by the filing party. Revenues for the fund come from access fees and a filing fee increases, with a portion of all filing fees being deposited in the fund.

- **Establishment of Oregon Courthouse Capital Construction & Improvement Fund**

In the 2013 Legislative Session, HB 5008 established the Oregon Courthouse Capital Construction and Improvement Fund (OCCCIF), with the intent of providing matching state funds through sale of Article XI-Q bonds for county courthouse construction under rules established by SB 5506. Two projects were authorized for bonding during the 2013-15 biennium, Multnomah County (up to \$15 million) and Jefferson County (up to \$4 million). HB 5008 also set a limitation of \$1 for the OCCCIF for the 2013-15 biennium.

- **Supreme Court Building Capital Construction**

The Supreme Court Building was built in 1914 and, due to the age of the building, is in need of major remodeling, renovation, and seismic retrofit. In the 2013 Session, OJD requested POP #216, which proposed \$27 million in bonding to support the required work. The 2013 Legislature authorized \$4.4 million in capital construction funds (six-year funds) to mitigate the most serious exterior façade and window issues.

- **Legal Aid Accounting**

OJD makes payments to the Legal Aid Account, out of fees collected by the courts, as established by HB 2710 (2011 Session). These payments were taken as a transfer to the Legal Aid Account. During the 2013 Session, accounting for the payments was changed to an Other Funds special payment in the Pass Throughs Summary Cross Reference.

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Legislation Impacting 2013-15 Legislatively Approved Budget

List of Included Budget Reports

- [HB 5016](#) (2013) – Budget (Main)- Page 10
- [HB 5006](#) (2013) – Criminal Fine Account Allocation- Page 30
- [SB 5506](#) (2013) – Bonding eCourt, OCCIF- Page 32
- [SB 5507](#) (2013) – Supreme Court Building Bonding- Page 34
- [HB 2322](#) (2013) – Judicial Salaries- Page 36
- [HB 5008](#) (2013) – 2% holdback, judicial comp, OCCIF- Page 38
- [HB 2562](#) (2013) – State Court Technology Fund, SCFSA changes- Page 42
- [HB 2594](#) (2013) – Commitment Hearings funding- Page 43
- [HB 2779](#) (2013) – Protective Order Setup Costs- Page 44
- [HB 5201](#) (2014) – Holdback, Salary Pot, Grants, Special Purpose Appropriation- Page 47
- [SB 5701](#) (2014) – Criminal Fine Account Allocation- Page 50
- [SB 5703](#) (2014) – OCCIF for Jefferson County- Page 51
- [Summary of Budget Notes](#) Excerpts (2013-14) and Actions- Page 52

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HB 5016- Budget (Main)-

77th OREGON LEGISLATIVE ASSEMBLY – 2013 Session
BUDGET REPORT AND MEASURE SUMMARY

MEASURE: HB 5016-A

Carrier – House: Rep. Williamson

Carrier – Senate: Sen. Winters

JOINT COMMITTEE ON WAYS AND MEANS

Action: Do Pass as Amended and as Printed A-Engrossed

Vote: 26 – 0 – 0

House

Yeas: Barker, Buckley, Frederick, Freeman, Hanna, Huffman, Jenson, Komp, McLane, Nathanson, Read, Richardson, Smith, Tomei, Williamson

Nays:

Exc:

Senate

Yeas: Bates, Devlin, Edwards, Girod, Hansell, Johnson, Monroe, Steiner Hayward, Thomsen, Whitsett, Winters

Nays:

Exc:

Prepared By: Kay Erickson, Department of Administrative Services

Reviewed By: Steve Bender, Legislative Fiscal Office

Meeting Date: June 28, 2013

Agency

Judicial Department

Biennium

2013-15

2011-13

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Budget Summary*

	2011-13 Legislatively Approved Budget ⁽¹⁾	2013-15 Current Service Level	2013-15 Committee Recommendation	Committee Change from 2011-13 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 347,694,058	\$ 391,181,314	\$ 384,395,868	\$ 36,701,810	10.6%
General Fund Debt Service	\$ 20,258,576	\$ 18,133,375	\$ 18,133,375	\$ (2,125,201)	-10.5%
Other Funds	\$ 56,817,370	\$ 22,864,190	\$ 64,384,108	\$ 7,566,738	13.3%
Other Funds Capital Improvement	\$ 97,460	\$ 0	\$ 0	\$ (97,460)	-100.0%
Federal Funds	\$ 1,303,013	\$ 891,014	\$ 1,227,911	\$ (75,102)	-5.8%
Total	\$ 426,170,477	\$ 433,069,893	\$ 468,141,262	\$ 41,970,785	9.8%

Position Summary

Authorized Positions	1,878	1,830	1,889	11
Full-time Equivalent (FTE) positions	1,752.66	1,709.46	1,763.60	10.94

⁽¹⁾ Includes adjustments through December 2012

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The Oregon Judicial Department's (Department) primary source of funding is General Fund, supporting 86 percent of total expenditures authorized in this bill. Although the Department collects revenues from fines, fees, and restitution awards associated with cases in the 36 Circuit Courts, the Tax Court, the Court of Appeals, and the Supreme Court; and from other sources, it only retains and spends a small portion of the revenue it collects. Most of its revenue is transferred to either the General Fund, the Criminal Fine Account, to state and local government agencies, to recipients of restitution and compensatory fine awards, or to the Oregon State Bar (for legal aid services). The Department also spends Article XI-Q General Obligation bond and certificates of participation proceeds authorized in the budget for implementation of the Oregon eCourt program and for capital construction projects.

The Public Safety Subcommittee approved a technical adjustment to the Department's budget to include court fee revenues transferred to the Oregon State Bar for legal aid services in the total amount of court fee revenues. Previously these revenues had not been included.

Other Other Funds and Federal Funds revenue sources include:

- Other Fund revenue generated through the sale and distribution of court publications, manuals and forms, and providing online access to the Oregon Judicial Information Network. Revenue from these transactions is used to pay for the cost of these programs;

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- Transfers from the State Office for Services to Children and Families to assist in funding the Citizen Review Board's review of child placements;
- Assessments to state agencies to support the State of Oregon Law Library;
- Funds from the Public Defense Services Commission to pay for the services of court staff to verify indigence of persons seeking state-paid court-appointed counsel;
- Federal Funds received from a Department of Health and Human Services grant to continue the Juvenile Court Improvement Project; and
- Grants with community partners, including Oregon counties and nonprofit entities, such as drug and other specialty courts, juvenile court improvements, and arbitration and mediation programs.

Summary of Public Safety Subcommittee Action

The Judicial Department is the largest of three independent entities that comprise the Judicial Branch of government. The Chief Justice of the Supreme Court is the administrative head of the Department with authority over the unified state court system operations, programs and functions. The Department operates 36 circuit courts located in 27 judicial districts statewide, the Tax Court, the Court of Appeals, and the Oregon Supreme Court. The Department administers the Mandated Payments Program that pays for the cost of jurors, transcript costs for certain indigents in civil appeals, Americans with Disabilities Act compliance, and interpreters for non-English-speaking and hearing-impaired persons in the courts.

The Subcommittee approved a budget of \$402,529,243 General Fund, \$468,141,262 total funds, and 1,889 positions (1,763.60 FTE) for the Department. The approved budget is an increase of \$41,970,785 total funds, or 9.8 percent, from the 2011-13 Legislatively Approved Budget as of December 2012.

Judicial Compensation

This budget division is for the Personal Service costs for statutorily established judgeships. The Subcommittee approved the following adjustments to the Judicial Compensation program's current service level:

- Package 092: PERS Taxation Policy, reduces General Fund by \$266,380. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.

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- Package 093: Other PERS Adjustments, reduces General Fund by \$2,128,503. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate.

- Package 211: 2012 Legislative Session Court of Appeals Panel. Package 211 finances the cost of adding three judges to the Court of Appeals. The additional judges will increase membership of the Court from ten to thirteen judges, and allow the Court to establish one additional three-judge panel. The Legislative Assembly approved the court expansion during the 2012 Session, to address an increase in the complexity of cases facing the Court, and to allow the Court to increase the number of written opinions it issues. The expansion takes effect on October 1, 2013.

The Chief Justice's request, after modifications made by the Department of Administrative Services Chief Financial Office for PERS rate adjustments, totaled \$2,975,878 General Fund for this package agency wide. The adjusted request included \$975,551 General Fund and three positions (2.64 FTE) in the Judicial Compensation program area to establish the new judgeships and to pay judges' compensation.

The Subcommittee approved this package, with modifications. The Subcommittee appropriated \$956,220 General Fund and established three permanent Court of Appeals Judge positions (2.64 FTE). The reduction from the requested amount reflects the impacts of Senate Bill 822 and of PERS Board administrative actions on PERS contribution costs. The remaining expenditures for staffing to support the panel are approved in the Appellate/Tax Courts program budget.

- Package 212: Judicial Compensation, appropriates \$1,934,859 General Fund to increase compensation for appellate, tax, and circuit court judges. The funding will support a salary increase for all judges of \$5,000 per year, beginning on January 1, 2014.

Because Judges' salaries are set in statute, salary levels cannot be amended in House Bill 5016. Amendments to increase judicial salaries by \$5,000, effective January 1, 2014, will be incorporated into the Joint Committee on Ways and Means end-of-session program change bill.

- Package 810: LFO Analyst Adjustments, appropriates \$640,933 General Fund to fund projected PERS contribution costs for statutory judges. Statutory judges participate in the PERS Judge Member Program, a program distinct from the PERS programs that cover other employees and retirees. The statewide Package 092 and Package 093 adjustments do not accurately reflect the impacts of Senate Bill 822 and of PERS Board administrative actions on PERS contribution costs for judges in the PERS Judge Member Plan. Those packages reduce funding to pay PERS contributions for judges by \$640,933 more than will actually be needed to pay anticipated costs in the 2013-15 biennium. The Subcommittee approved the additional funds to fully finance anticipated expenditures in the Judicial Compensation program.

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- Package 811: General Fund Carry-Forward Adjustment, eliminates \$297,163 General Fund in Personal Services expenditures. This reduction will be restored during the 2013-15 biennium with the carry-forward of 2011-13 biennium General Fund ending balances.

eCourt Debt Service

The eCourt Debt Service Program provides General Fund to make payments on principal and interest, and Other Funds for financing costs, associated with certificates of participation (COPs) or Article XI-Q bonds issued to finance the development and implementation of the Oregon eCourt program. The Department's debt service is related exclusively to the eCourt Program.

The first sale of COPs to fund the projects within the Oregon eCourt Program took place in June 2008. Additional COP and General Obligation bond sales were held in 2009, 2010, 2011 and 2012.

The Subcommittee approved \$18,133,375 General Fund and \$530,319 Other Funds expenditure limitation for this program. This represents a decrease of \$1,921,474 total funds, or 9.3 percent, from the prior biennium level. The Subcommittee took action on the following package:

- Approved Package 201: Oregon eCourt Debt Service, with modifications. As requested by the Department, this package provided \$5,197,274 General Fund to pay 2013-15 biennium debt service costs associated with the Article XI-Q Bonds approved in Package 202 to finance the continued implementation of the Oregon eCourt program. The package also provided \$530,319 Other Funds expenditure limitation to accommodate the cost of issuing the bonds, to be paid from the bond proceeds (Other Funds).

The Subcommittee approved the package with modifications. The approved budget requires the Department to not request the Article XI-Q bonds to be issued until Spring 2015. This will delay the first scheduled debt service payment until after the end of the 2013-15 biennium, eliminating the need for General Fund to pay debt service on the newly-issued bonds in 2013-15. The Subcommittee, therefore, eliminated General Fund from the package for 2013-15 biennium debt service costs, and approved only the \$530,319 Other Funds portion of the request to permit payment of cost of issuance of the bonds. The Subcommittee also approved the following budget note to clarify and acknowledge the legislative expectations associated with the retiming of the Article XI-Q bond sale:

Budget Note:

The Subcommittee understands that the Oregon Judicial Department will have approximately \$24.3 million in Oregon eCourt-related expenditures during the 2013-15 biennium that will be funded with General Obligation (Article XI-Q) bond proceeds. In order to reduce the General Fund debt service requirement in the 2013-15 biennium, OJD will initially pay those costs from General Funds for operations, then have that General Fund reimbursed with bond proceeds from a bond sale in March 2015. This agreement postpones the debt service obligation to make additional General Fund available for court operations in 2013-15, but requires the bond proceeds to be received in the 2013-15 biennium so that Oregon eCourt expenditures can be paid with bond proceeds and the General Fund for court operations can be reimbursed in the 2013-15 biennium. This agreement will defer approximately \$5.2 million of General Fund-financed debt service until after the 2013-15 biennium.

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Trial Courts

This division includes the resources for operating the circuit courts in Oregon. These courts adjudicate matters and disputes in the following cases: criminal; civil; domestic relations; traffic; juvenile; small claims; violations; abuse prevention act; probate; mental commitments; and, adoption and guardianship.

Trial court resources also include those related to revenue management and collections.

The Subcommittee approved a budget of \$201,893,301 General Fund, \$207,183,619 total funds and 1,360 positions (1,245.07 FTE). This is a \$22 million, or 11.9 percent, total increase from the 2011-13 Legislatively Approved Budget as of December 2012. The Subcommittee approved the following packages related to the Trial Courts budget:

- Package 092: PERS Taxation Policy, reduces General Fund by \$491,433 and Other Funds expenditure limitation by \$10,979. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.
- Package 093: Other PERS Adjustments, reduces total funds by \$4,014,513 (\$3,926,783 General Fund and \$87,730 Other Funds). This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate.

- Package 210: Specialty Courts Grants, provides Other Funds expenditure limitation and position authority associated with specialty grants that support family courts, pretrial release programs, and the Citizen Review Board. The package includes \$908,012 Other Funds expenditure limitation for expenditure of grant monies that were awarded in the 2011-13 biennium, but that will be spent in the 2013-15 biennium.

The grant funds are used to pay seven employees who work in these program areas; the positions are established on a limited-duration basis. Package 210 establishes the seven limited-duration positions (4.90 FTE) for the 2013-15 biennium.

- Package 810: LFO Analyst Adjustments, includes a General Fund reduction, distributed among the Department's program areas, that sums to \$3,000,000. The Subcommittee reduced the Trial Courts program Service and Supplies budget by \$2,000,000 General Fund. The Subcommittee approved the unspecified reduction to assist in balancing the overall state budget within available General Fund resources. The Department shall take management actions to implement the reduction with minimal impact to judicial services.

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- Package 811: General Fund Carry-Forward Adjustment, eliminates \$615,916 General Fund in Services and Supplies expenditures. This reduction will be restored during the 2013-15 biennium with the carry-forward of 2011-13 biennium General Fund ending balances.
- Package 812: Technical Adjustments. This package only includes technical adjustments and corrections that have no impact on the Judicial Department's expenditures. The Subcommittee approved these adjustments to accurately reflect the expenditures and resources of the Judicial Department in the Legislatively Adopted Budget.

There are four independent components within this package agency wide as described below. However, only elements of package components 1 and 2 are included in the Trial Courts program area.

1. Legal Aid Support – ORS 9.577 directs the Judicial Department to deposit \$11.9 million of court fee revenue into the Legal Aid Account each biennium. The Other Funds monies in this Account are distributed to the Oregon State Bar for the Legal Services Program. The budget does not include an appropriate Other Funds expenditure limitation to permit the distribution of the monies to the Oregon State Bar. The Subcommittee added \$11.9 million of Other Funds expenditure limitation in the External Pass-Throughs program area to reflect these distributions, and also added an Other Funds expenditure limitation of \$11,900,000 for the Legal Aid Account to House Bill 5016. The technical adjustments in this package also internally direct the Legal Aid Account monies to the External Pass-Throughs program area for distribution to the Oregon State Bar, and add the \$11.9 million that is transferred to state court fee revenues to correctly account for their collection.
2. State Law Library and Publications – The State Law Library and Publications functions operate within the Appellate/Tax Courts program area. Historically, the program had been funded in different areas of the Department's budget, and program expenditures still remain distributed in three program areas. The package consolidates all State Law Library and Publications expenditures within the Appellate/Tax Courts program area by transferring a total of \$1,422,902 of associated expenditures in Trial Courts and Administration to the Appellate/Tax Courts program area.
3. Court Interpreter Certification Program – Some Other Funds expenditures for the Court Interpreter Certification program are erroneously housed in the Administration program. The package transfers \$70,000 from Administration to the Mandated Payments program that houses the certification program.
4. State Court Facilities and Security Account (SCFSA) – The beginning balance in the State Court Facilities and Security Account (SCFSA) is incorrect. The package includes a Beginning Balance Adjustment of \$298,653 to reflect the projected SCFSA beginning fund balance in the budget.

In the Trial Courts program, the Subcommittee increased Other Funds State Court Fees revenue by \$11,900,000 and reduced Other Funds Transfer Out – Intrafund by the same amount to appropriately reflect the deposit of court fee revenues for Legal Aid support. The Subcommittee reduced the Trial Courts program budget by \$1,214,807 Other Fund to centralize State Law Library and Publications expenditures within the Appellate/Tax Courts program.

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Appellate/Tax Courts

This program funds the operations and staffing of the Supreme Court, the Court of Appeals, and the Tax Court. The Supreme Court is established by the Oregon Constitution, and consists of seven justices elected to serve six-year terms, one of whom is selected from among his/her peers to serve as the Chief Justice for the Judicial Branch for a six-year term. The Court of Appeals consists of ten judges who hear appeals from trial courts and state agencies and boards. Three more judgeships were added to the Court of Appeals by the 2012 Legislative Assembly, which when operative October 1, 2013, will bring the number of judgeship positions to 13. (These positions and the supporting staff are funded in the 2013-15 Legislatively Adopted Budget.) The Tax Court consists of one judge, who hears matters arising from Oregon tax law, and a Tax Magistrate Division created in 1997 to replace the informal administrative tax appeals process conducted by the Department of Revenue. The program area also houses the State Law Library and Publications programs.

The Subcommittee approved a budget of \$24,008,080 total funds, \$20,971,033 General Fund, and 108 positions (103.12 FTE) for these courts. This is an increase of \$5,140,795 total funds, or 27.2 percent, from the 2011-13 Legislatively Approved Budget. The Subcommittee approved the following actions:

- Package 092: PERS Taxation Policy, reduces General Fund by \$48,145 and Other Funds by \$4,146. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.
- Package 093: Other PERS Adjustments, reduces the Appellate/Tax Courts program by \$384,699 General Fund and \$33,127 Other Funds expenditure limitation. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate.

- Package 211: 2012 Legislative Session Court of Appeals Panel, finances the cost of adding three judges to the Court of Appeals. The additional judges will increase membership of the Court from ten to thirteen judges, and allow the Court to establish one additional three-judge panel. The Legislative Assembly approved the court expansion during the 2012 Session, to address an increase in the complexity of cases facing the Court, and to allow the Court to increase the number of written opinions it issues. The expansion takes effect on October 1, 2013.

The Chief Justice's request, after modifications made by the Department of Administrative Services Chief Financial Office for PERS rate adjustments, totaled \$2,975,878 General Fund for this package agency-wide. The modified request included \$2,000,327 General Fund and nine positions (8.64 FTE) in the Appellate/Tax Courts program area to establish staff support positions for the new judges, and to pay staff compensation and services and supplies costs associated with the court expansion.

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The Subcommittee approved Package 211 with additional modifications. The Subcommittee appropriated \$1,742,916 General Fund and established nine full-time positions (8.64 FTE). It reduced the modified request by \$32,448 General Fund to reflect the impacts of Senate Bill 822 and of PERS Board administrative actions on PERS contribution costs, and by \$224,963 General Fund to remove funding that had been requested for rent.

- Package 810: LFO Analyst Adjustments, includes a General Fund reduction, distributed among the Department's program areas, that sums to \$3,000,000. The Subcommittee reduced the Appellate/Tax Courts program budget by \$200,000 General Fund in Services and Supplies expenditures. The unspecified reduction is recommended to assist in balancing the overall state budget within available General Fund resources. The Department shall take management actions to implement the reduction with minimal impact to judicial services.
- Package 812: Technical Adjustments. This package only includes technical adjustments and corrections that have no impact on the Judicial Department's expenditures. The Subcommittee approved these adjustments to accurately reflect the expenditures and resources of the Judicial Department in the Legislatively Adopted Budget. There is one component of the package that impacts the Appellate/Tax Courts program area. The State Law Library and Publications functions operate within the Appellate/Tax Courts program area, however, historically, the functions have been funded in different areas of the Department's budget, and program expenditures still remain distributed in three program areas. The package consolidates all State Law Library and Publications expenditures within the Appellate/Tax Courts program area by transferring a total of \$1,422,902 of associated expenditures from Trial Courts and Administration to the Appellate/Tax Courts program area.

Administration and Central Support

The Office of the State Court Administrator (OSCA) supports and assists the Chief Justice in exercising administrative authority and supervision over the circuit, tax, and appellate courts of the state and in establishing and managing statewide administrative policies and procedures. This division includes resources for the Revenue Management Program, budget and accounting, personnel, legal, audit, education, court programs and analytical services, pro tem services, and information technology. In addition the OSCA has responsibility for administrative management of the Appellate Court Records Section, State of Oregon Law Library, publications, interpreter and shorthand reporter certification programs, and state Citizen Review Board program. The functions of the OSCA include budget, accounting, procurement, human resources, legal, audit, education and outreach, *pro se* services, and information technology infrastructure.

The Subcommittee approved a budget of \$49,917,402 General Fund, \$5,799,939 Other Funds, \$1,227,911 Federal Funds and 160 positions (157.50 FTE). This is an increase from the 2011-13 Legislatively Approved Budget of \$3,864,608 total funds, or 7.3 percent. The Subcommittee approved the following policy packages:

- Package 092: PERS Taxation Policy, reduces Personal Services expenditures by \$88,270 General Fund, \$13,588 Other Funds and \$831 Federal Funds. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.

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- Package 093: Other PERS Adjustments, reduces expenditures by \$820,540 total funds (\$705,320 General Fund, \$108,577 Other Funds and \$6,643 Federal Funds). This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate.

- Package 810: LFO Analyst Adjustments, includes a General Fund reduction, distributed among the Department's program areas, that sums to \$3,000,000. The Subcommittee reduced the Administration and Central Support program budget by \$500,000 General Fund. The Subcommittee approved the unspecified reduction to assist in balancing the overall state budget within available General Fund resources. The Department shall take management actions to implement the reduction with minimal impact to judicial services.

Additionally, the Department's current service level Federal Funds expenditure limitation does not include expenditures of federal grant funds that were received in the 2011-13 biennium, but that will not be spent until the 2013-15 biennium. The Package 810 adjustment in the Administration and Central Support program area increases the Department's Federal Funds expenditure limitation by \$344,371 to allow these already-awarded grant funds to be spent.

Mandated Payments

The Mandated Payments program funds the jury system and access to courts by all persons. This program finances costs associated with the administration of the trial and grand jury systems. Services include: foreign-language interpreters for court proceedings; provision of assistive devices required to provide reasonable accommodation to disabled persons; state-paid sign interpreters or real-time reporters for hearing-impaired jurors; mileage reimbursed to grand and trial jurors; payment of jurors' meals, lodging, and commercial transportation at the actual cost; per diem provided to grand and petit jurors; summoning and qualifying jurors and providing jurors' orientation programs and materials; and, payment of other miscellaneous costs.

The Subcommittee approved a 2013-15 budget of \$14,847,024 General Fund and \$594,752 Other Funds and 23 positions (22.31). This is an increase of \$1,542,695, or 11.1 percent, from the 2011-13 Legislatively Adopted Budget. The Subcommittee took action on the following packages:

- Package 092: PERS Taxation Policy, reduces Personal Services expenditures by \$10,230 General Fund and \$118 Other Funds. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.

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- Package 093: Other PERS Adjustments, reduces General Fund by \$81,739 and Other Funds expenditure limitation by \$941. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate.

- Package 213: Contract Interpreter Rate Increase – Mandated Payments. The Chief Justice requested \$2,975,878 General Fund to finance an increase in the rate paid to freelance certified interpreters from the present rate of \$32.50 per hour to \$45 per hour. The current rate was established on January 1, 1998. The Subcommittee appropriated \$885,680 General Fund to finance an increase in the rate paid to freelance certified interpreters from the present rate of \$32.50 per hour to \$40.00 per hour. This is equal to a 23.1 percent rate increase.
- Package 810: LFO Analyst Adjustments, includes a General Fund reduction, distributed among the Department’s program areas, that sums to \$3,000,000. The Subcommittee reduced the Mandated Payments program budget by \$100,000 General Fund in Services and Supplies expenditures. The Subcommittee approved the unspecified reduction to assist in balancing the overall state budget within available General Fund resources. The Department shall take management actions to implement the reduction with minimal impact to judicial services.
- Package 812: Technical Adjustments. This package only includes technical adjustments and corrections that have no impact on the Judicial Department’s expenditures. The Subcommittee approved these adjustments to accurately reflect the expenditures and resources of the Judicial Department in the Legislatively Adopted Budget. There is one adjustment in the Mandated Payments program. Some Other Funds expenditures for the Court Interpreter Certification program are erroneously housed in the Administration program. The package transfers \$70,000 Other Funds Service and Supplies expenditure limitation to the Mandated Payments program that houses the Certification program.

Third-Party Debt Collection

During the 2011-13 biennium, a new General Fund appropriation was established for the cost of paying third-party collection fees associated with the collection of fees, fines, and restitution. The types of expenditures that are included in this appropriation are credit card fees, State Treasury charges for banking services, Department of Revenue fees, and private collection firm fees. On average, the state recovers \$5.60 for each \$1.00 spent on third-party collection activities. Collection fees are only paid on successful collection. The Subcommittee approved a 2013-15 budget of \$11,960,042 General Fund and no positions for the Third-Party Debt Collection program.

External Pass-Throughs

This budget structure was established in the 2011-13 Oregon Judicial Department budget for various pass-through payments to external entities. In the 2011 Legislative session, changes were made to add expenditure limitation and funding for the following programs to the Department’s

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budget: County law libraries, county mediation/conciliation programs, biennial funding for Council on Court Procedures, biennial funding for Oregon Law Commission, and a one-time payment to Tri-County Metropolitan Transportation District of Oregon (TRIMET). During prior biennia, funding for these programs was provided through revenue transfers from court fees or appropriations from the Legislature. The Subcommittee approved a 2013-15 budget of \$14,701,350 General Fund and \$11,900,000 Other Funds and no positions for the External Pass-Throughs program. The Subcommittee also approved the following packages:

- Package 810: LFO Analyst Adjustments, includes a General Fund reduction, distributed among the Department's program areas, that sums to \$3,000,000. The Subcommittee reduced the External Pass-Throughs program budget by \$200,000 General Fund in Special Payments to Counties, consisting of a \$100,000 General Fund reduction to conciliation and mediation services, and a \$100,000 General Fund reduction to law libraries and law library services. The reduction is approved to assist in balancing the overall state budget within available General Fund resources.
- Package 812: Technical Adjustments, only includes technical adjustments and corrections that have no impact on the Judicial Department's expenditures. The Subcommittee approved these adjustments to accurately reflect the expenditures and resources of the Judicial Department in the Legislatively Adopted Budget.

There is one component of this agency-wide package in the External Pass-Throughs program area. ORS 9.577 directs the Judicial Department to deposit \$11.9 million of court fee revenue into the Legal Aid Account each biennium. The Other Funds monies in this Account are distributed to the Oregon State Bar for the Legal Services Program. The budget does not include an appropriate Other Funds expenditure limitation to permit the distribution of the monies to the Oregon State Bar. The Subcommittee approved adding \$11.9 million Other Funds expenditure limitation in the External Pass-Throughs program area to reflect these distributions. The Subcommittee also approved adding an Other Funds expenditure limitation of \$11,900,000 for the Legal Aid Account to House Bill 5016. The technical adjustments in this package also internally direct the Legal Aid Account monies to the External Pass-Throughs program area for distribution to the Oregon State Bar.

The Subcommittee increased Other Funds State Court Fees revenue by \$11,900,000 in the Trial Courts program and increased Other Funds Transfer In – Intrafund by the same amount in the External Pass-Throughs program to appropriately reflect the deposit and internal transfer of court fee revenues for Legal Aid support.

State Court Facilities Security Account

This budget division was established in the 2009-11 biennium budget. The division's responsibilities initially included statewide security improvements, emergency preparedness, business continuity training as well as the business continuity function for the Multnomah Circuit Court. The program was funded by assessments on certain fines as listed in ORS 137.309.

In 2011, the Legislature passed House Bill 2712, which eliminated the assessments and changed the fund source for the State Court Facilities and Security Account (SCFSA). The SCFSA is now funded by allocations of funds from the Criminal Fine Account. The bill also made major

LEGISLATIVE ACTION

changes to ORS 1.178, which was further modified in the 2012 Legislative Session by Senate Bill 1579. These changes created four discrete, allowable expense categories, funded through a biennial allocation from the Criminal Fine Account to the SCFSA, as follows:

- Developing or implementing the plan for state court security emergency preparedness and business continuity;
- Statewide training on state court security;
- Distributions to court facilities security accounts in each county; and
- Capital improvements for courthouses and other state court facilities.

The Subcommittee approved a \$13,132,788 Other Funds budget and four positions (4.00 FTE) for the 2013-15 biennium. The Subcommittee approved the following packages in the State Court Facilities Security Account budget:

- Package 092: PERS Taxation Policy, reduces Personal Services expenditures by \$2,039 General Fund. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.
- Package 093: Other PERS Adjustments, reduces General Fund by \$16,289. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate.

- Package 214: Local Court Facilities Infrastructure was approved. The Chief Justice requested \$3,545,858 Other Funds from the Criminal Fine Account to finance a number of local court facilities infrastructure projects. These projects include:
 - \$2 million toward replacement of the Union County Courthouse in La Grande. The cost of the project is projected to total \$3.2 million. The remaining funds needed to complete the project will be provided by Union County and contributions.
 - \$150,000 for repairs to the Curry County Courthouse roof.
 - Approximately \$1.4 million for life/safety system upgrades for court facilities in Curry, Gilliam, Malheur and Wallowa Counties.
- Package 810: LFO Analyst Adjustments, includes two adjustments in the State Court Facilities Security Account program area:
 - 1) Reduce General Fund by \$795,990 and increase Other Funds by \$795,990. This action reflects a fund shift of payments for Personal Services from the General Fund to the State Court Facilities and Security Account (SCFSA). In 2012, the Legislature passed Senate Bill 1579, which prohibited SCFSA funds from being used to pay for OJD positions (as was the practice prior to

LEGISLATIVE ACTION

passage of the bill). In 2013, the Legislature passed Senate Bill 49, which repealed this prohibition. With passage of Senate Bill 49, the Subcommittee restored the prior practice, and funded the OJD positions with Other Funds instead of General Fund.

- 2) Reduce the allocation from the Criminal Fine Account to the SCFSA by \$290,150, to fully utilize the SCFSA beginning balance to fund 2013-15 biennium expenditures. This action does not reduce expenditures, but it does increase General Fund revenue by \$290,150. The action will leave the SCFSA with a projected zero ending balance.
- Package 812: Technical Adjustments. The Department anticipates a \$298,653 beginning balance in the State Court Facilities and Security Account. This account holds both funds expended by the Department and funds distributed to counties. The budget does not currently include the anticipated beginning balance. The Subcommittee approved a \$298,653 beginning balance adjustment to the Account.

eCourt Program

Oregon eCourt is a multi-biennium program to modernize Oregon court business practices, service delivery, and information technology infrastructure. The program officially began in February 2008 and is scheduled to be completed in the 2015-17 biennium. Oregon eCourt encompasses the activities of the Supreme Court, Court of Appeals, Tax Court, and circuit courts. To date, the integrated Odyssey system, which replaces the Oregon Judicial Information Network (OJIN) and other OJD systems, has been implemented in five circuit courts. An additional fourteen circuit courts, including Multnomah Circuit Court, are scheduled for implementation in the 2013-15 biennium.

eCourt is funded with a combination of General Fund, Other Funds, and proceeds from sales of COPs and Article XI-Q bonds, which are supported with General Fund debt service.

The Subcommittee approved a budget of \$25,969,671 total funds of which \$1,870,726 is General Fund. This is a \$9.8 million, or 27.5 percent, reduction from the prior biennium level. There are 40 limited-duration positions associated with this program. The Subcommittee approved the following packages:

- Package 092: PERS Taxation Policy, reduces Other Funds expenditure limitation by \$21,219. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.
- Package 093: Other PERS Adjustments, reduces Other Funds expenditure limitation by \$169,548. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.
- Package 202: Oregon eCourt Program, adds \$24,289,712 Other Funds expenditure limitation, and establishes 40 limited-duration positions (37.96 FTE), for the continued implementation of the Oregon eCourt Program.

LEGISLATIVE ACTION

The expenditures and positions are financed with General Obligation (Article XI-Q) bond proceeds. Authorization to issue the bonds is not provided in this bill. Approval to issue the bonds must be included in the bond limit bill (expected to be Senate Bill 5506) to allow Package 202 expenditures to be funded.

As a bond-funded package, Package 202 is approved on a one-time basis and will be phased out in the development of the Department's 2015-17 biennium budget request. The Department may request, and the Subcommittee expects that it will request, additional bonds to complete Oregon eCourt implementation in the 2015-17 biennium, however, any request must be presented as a policy option package in the Chief Justice's 2015-17 biennium recommended budget.

- Package 811: General Fund Carry-Forward Adjustment includes General Fund reductions that will be restored during the 2013-15 biennium with the carry-forward of 2011-13 biennium General Fund ending balances. The Subcommittee reduced the General Fund appropriation for Services and Supplies by \$87,155.

2011-13 Budget Rebalance

The Subcommittee approved a rebalance of the Department's 2011-13 biennium General Fund appropriations. It approved transferring \$1,162,469 of General Fund from Operations to fund increases needed in the Mandated Payments and Third-Party Debt Collection programs.

The Subcommittee approved adjustments to the General Fund appropriations made by chapter 634, section 1, Oregon Laws 2011, for the 2011-13 biennium as follows:

<u>Subsection</u>	<u>Amount</u>
(2) Operations	\$-1,162,469
(3) Mandated payments	\$+567,358

The Subcommittee also approved an adjustment to the General Fund appropriation made by chapter 600, section 15, Oregon Laws 2011, for the 2011-13 biennium as follows:

	<u>Amount</u>
Third party debt collection fees	\$+595,111

LEGISLATIVE ACTION

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

HB 5016-A

Oregon Judicial Department
Kay Erickson -- 503-378-4588

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2011-13 Legislatively Approved Budget at Dec 2012 *	\$ 367,952,634	\$ 0	\$ 56,914,830	\$ 0	\$ 1,303,013	\$ 0	\$ 426,170,477	1,878	1,752.66
2013-15 ORBITS printed Current Service Level (CSL)*	\$ 409,314,689	\$ 0	\$ 22,864,190	\$ 0	\$ 891,014	\$ 0	\$ 433,069,893	1,830	1,709.46
<u>SUBCOMMITTEE ADJUSTMENTS (from CSL)</u>									
SCR 010 - Judicial Compensation									
Package 092: PERS Taxation Policy									
Personal Services	\$ (266,380)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (266,380)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ (2,128,503)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (2,128,503)	0	0.00
Package 211: 2012 Legislative Session Court of Appeals Panel									
Personal Services	\$ 956,220	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 956,220	3	2.64
Package 212: Judicial Compensation									
Personal Services	\$ 1,934,859	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,934,859	0	0.00
Package 810: LFO Analyst Adjustments									
Personal Services	\$ 640,933	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 640,933	0	0.00
Package 811: General Fund Carry-Forward Adjustment									
Personal Services	\$ (297,163)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (297,163)	0	0.00
SCR 087 - eCourt Debt Service									
Package 201: Oregon eCourt Debt Service Services and Supplies (Other COP costs)									
	\$ 0	\$ 0	\$ 530,319	\$ 0	\$ 0	\$ 0	\$ 530,319		
SCR 100 - Trial Courts									
Package 092: PERS Taxation Policy									
Personal Services	\$ (491,433)	\$ 0	\$ (10,979)	\$ 0	\$ 0	\$ 0	\$ (502,412)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ (3,926,783)	\$ 0	\$ (87,730)	\$ 0	\$ 0	\$ 0	\$ (4,014,513)	0	0.00

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DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

HB 5016-A

Oregon Judicial Department
Kay Ericksen -- 503-378-4588

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
Package 210: Specialty Courts Grants Personal Services	\$ 0	\$ 0	\$ 908,012	\$ 0	\$ 0	\$ 0	\$ 908,012	7	4.90
Package 810: LFO Analyst Adjustments Services and Supplies (unspecified)	\$ (2,000,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (2,000,000)		
Package 811: General Fund Carry-Forward Adjustment Services and Supplies	\$ (615,916)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (615,916)		
Package 812: Technical Adjustments Services and Supplies	\$ 0	\$ 0	\$ (1,214,807)	\$ 0	\$ 0	\$ 0	\$ (1,214,807)		
SCR 101 - Appellate/Tax Courts									
Package 092: PERS Taxation Policy Personal Services	\$ (48,145)	\$ 0	\$ (4,146)	\$ 0	\$ 0	\$ 0	\$ (52,291)	0	0.00
Package 093: Other PERS Adjustments Personal Services	\$ (384,699)	\$ 0	\$ (33,127)	\$ 0	\$ 0	\$ 0	\$ (417,826)	0	0.00
Package 211: 2012 Legislative Session Court of Appeals Panel Personal Services	\$ 1,420,849	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,420,849	9	8.64
Services and Supplies	\$ 322,067	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 322,067		
Package 810: LFO Analyst Adjustments Services and Supplies (unspecified)	\$ (200,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (200,000)		
Package 812: Technical Adjustments Services and Supplies	\$ 0	\$ 0	\$ 1,422,902	\$ 0	\$ 0	\$ 0	\$ 1,422,902		
SCR 102 - Administration and Central Support									
Package 092: PERS Taxation Policy Personal Services	\$ (88,270)	\$ 0	\$ (13,588)	\$ 0	\$ (831)	\$ 0	\$ (102,689)	0	0.00
Package 093: Other PERS Adjustments Personal Services	\$ (705,320)	\$ 0	\$ (108,577)	\$ 0	\$ (6,643)	\$ 0	\$ (820,540)	0	0.00

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DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

HB 5016-A

Oregon Judicial Department
 Kay Erickson -- 503-378-4588

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
Package 810: LFO Analyst Adjustments									
Personal Services	\$ 0	\$ 0	\$ 0	\$ 0	\$ 344,371	\$ 0	\$ 344,371	0	0.00
Services and Supplies	\$ (500,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (500,000)		
Package 812: Technical Adjustments									
Services and Supplies	\$ 0	\$ 0	\$ (278,095)	\$ 0	\$ 0	\$ 0	\$ (278,095)		
SCR 200 - Mandated Payments									
Package 092: PERS Taxation Policy									
Personal Services	\$ (10,230)	\$ 0	\$ (118)	\$ 0	\$ 0	\$ 0	\$ (10,348)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ (81,739)	\$ 0	\$ (941)	\$ 0	\$ 0	\$ 0	\$ (82,680)	0	0.00
Package 213: Contract Interpreter Rate Increase									
Services and Supplies (Professional Services)	\$ 885,680	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 885,680		
Package 810: LFO Analyst Adjustments									
Services and Supplies (unspecified)	\$ (100,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (100,000)		
Package 812: Technical Adjustments									
Services and Supplies	\$ 0	\$ 0	\$ 70,000	\$ 0	\$ 0	\$ 0	\$ 70,000		
SCR 220 - External Pass-Throughs									
Package 810: LFO Analyst Adjustments									
Special Payments (Dist to Counties)	\$ (200,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (200,000)		
Package 812: Technical Adjustments									
Special Payments (Dist to Non-Gov Units)	\$ 0	\$ 0	\$ 11,900,000	\$ 0	\$ 0	\$ 0	\$ 11,900,000		
SCR 400 - State Court Facilities Security Account									
Package 092: PERS Taxation Policy									
Personal Services	\$ (2,039)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (2,039)	0	0.00

LEGISLATIVE ACTION

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

HB 5016-A

Oregon Judicial Department
Kay Erickson -- 503-378-4588

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE	
			LIMITED	NONLIMITED	LIMITED	NONLIMITED				
Package 093: Other PERS Adjustments										
Personal Services	\$ (16,289)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (16,289)	0	0.00	
Package 214: Local Court Facilities Infrastructure										
Capital Outlay (Professional Services)	\$ 0	\$ 0	\$ 3,545,858	\$ 0	\$ 0	\$ 0	\$ 3,545,858			
Package 810: LFO Analyst Adjustments										
Personal Services	\$ (795,990)	\$ 0	\$ 795,990	\$ 0	\$ 0	\$ 0	\$ 0	0	0.00	
SCR 500 - eCourt Program										
Package 092: PERS Taxation Policy										
Personal Services	\$ 0	\$ 0	\$ (21,219)	\$ 0	\$ 0	\$ 0	\$ (21,219)	0	0.00	
Package 093: Other PERS Adjustments										
Personal Services	\$ 0	\$ 0	\$ (169,548)	\$ 0	\$ 0	\$ 0	\$ (169,548)	0	0.00	
Package 202: Oregon eCourt Program										
Personal Services	\$ 0	\$ 0	\$ 8,738,333	\$ 0	\$ 0	\$ 0	\$ 8,738,333	40	37.96	
Services and Supplies	\$ 0	\$ 0	\$ 12,414,498	\$ 0	\$ 0	\$ 0	\$ 12,414,498			
Capital Outlay	\$ 0	\$ 0	\$ 3,136,881	\$ 0	\$ 0	\$ 0	\$ 3,136,881			
Package 811: General Fund Carry-Forward Adjustment										
Services and Supplies	\$ (87,155)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (87,155)			
TOTAL ADJUSTMENTS	\$ (6,785,446)	\$ 0	\$ 41,519,918	\$ 0	\$ 336,897	\$ 0	\$ 35,071,369	59	54.14	
SUBCOMMITTEE RECOMMENDATION *	\$ 402,529,243	\$ 0	\$ 64,384,108	\$ 0	\$ 1,227,911	\$ 0	\$ 468,141,262	1,889	1,763.60	
% Change from 2011-13 Leg Approved Budget	9.4%	0.0%	13.1%	0.0%	-5.8%	0.0%	9.8%			
% Change from 2013-15 Current Service Level	-1.7%	0.0%	181.6%	0.0%	37.8%	0.0%	8.1%			

*Excludes Capital Construction Expenditures

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DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

HB 5016-A

Oregon Judicial Department
 Kay Erickson -- 503-378-4588
 2011-13 Budget Actions

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
SCR 100 - Trial Courts Services and Supplies	\$ (1,162,469)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (1,162,469)		
SCR 200 - Mandated Payments Services and Supplies	\$ 567,358	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 567,358		
SCR 210 - Third Party Debt Collection Services and Supplies	\$ 595,111	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 595,111		
<hr/>									
Total Subcommittee Recommendation	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		

LEGISLATIVE ACTION

HB 5006 (2013) – Criminal Fine Account Allocation

77th OREGON LEGISLATIVE ASSEMBLY--2013 Regular Session

Enrolled House Bill 5006

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Oregon Department of Administrative Services)

CHAPTER

AN ACT

Relating to the financial administration of the Criminal Fine Account; creating new provisions; amending ORS 137.300; and declaring an emergency.

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

SECTION 1. Notwithstanding ORS 137.300, for the biennium beginning July 1, 2013, the Department of Revenue shall distribute the moneys in the Criminal Fine Account established by ORS 137.300 as specified in sections 2 to 7 of this 2013 Act.

SECTION 2. There are allocated to the Department of Public Safety Standards and Training for the biennium beginning July 1, 2013, from the Criminal Fine Account, the following amounts for the following purposes:

- (1) Criminal justice training and standards operations..... \$ 24,410,000
- (2) Public Safety Memorial Fund... \$ 110,000

SECTION 3. There are allocated to the Department of Justice for the biennium beginning July 1, 2013, from the Criminal Fine Account the following amounts, for the following purposes:

- (1) Child Abuse Multidisciplinary Intervention Account..... \$ 9,982,089
- (2) Creation and operation of a statewide system of regional assessment centers as provided under ORS 418.746 to 418.796..... \$ 764,721
- (3) Criminal Injuries Compensation Account \$ 8,520,223
- (4) Services to children eligible for compensation under ORS 147.390 and costs to administer provision of these services \$ 646,707

SECTION 4. There are allocated to the Department of Human Services for the biennium beginning July 1, 2013, from the Criminal Fine Account the following amounts, for the following purposes:

- (1) Domestic Violence Fund

Enrolled House Bill 5006 (HB 5006-B)

Page 1

LEGISLATIVE ACTION

for the purpose of

ORS 409.292 (1)(a) to (c)..... \$ 2,224,675

(2) Sexual Assault Victims Fund.... \$ 533,332

SECTION 5. There is allocated to the Oregon Health Authority for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$331,824 for the Emergency Medical Services and Trauma Systems Program created under ORS 431.623.

SECTION 6. There is allocated to the State Court Facilities and Security Account established under ORS 1.178 for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$9,374,580.

SECTION 7. (1) There is allocated to the Oregon Health Authority for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$42,884 for the purpose of grants under ORS 430.345 for the establishment, operation and maintenance of alcohol and drug abuse prevention, early intervention and treatment services provided through a county.

(2) There is allocated to the Law Enforcement Medical Liability Account established under ORS 414.815 for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$1,300,000.

(3) There is allocated to the Oregon State Police for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$253,000 for the purpose of the enforcement of the laws relating to driving under the influence of intoxicants.

(4) There is allocated to the Department of Corrections for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$4,257,421 for the purpose of planning, operating and maintaining county juvenile and adult corrections programs and facilities and drug and alcohol programs. The grant to each county shall be based on amounts deposited in the Criminal Fine and Assessment Account by the circuit court for the county in the 2009-2011 biennium.

(5) There is allocated to the Arrest and Return Account established under ORS 133.865 for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$22,500.

(6) There is allocated to the Intoxicated Driver Program Fund created under ORS 813.270 for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$4,323,000.

SECTION 8. After distributing the amounts specified in sections 2 to 7 of this 2013 Act, the Department of Revenue shall distribute funds remaining in the Criminal Fine Account to the General Fund.

LEGISLATIVE ACTION

SB 5506 (2013) – Bonding eCourt, OCCIF

77th OREGON LEGISLATIVE ASSEMBLY – 2013 Regular Session
BUDGET REPORT AND MEASURE SUMMARY

MEASURE: SB 5506-A

JOINT COMMITTEE ON WAYS AND MEANS

Carrier – House: Rep. Kotek
Carrier – Senate: Sen. Girod

Action: Do Pass as Amended and be Printed A-Engrossed

Vote: 24 – 2 – 0

House

Yeas: Barker, Buckley, Frederick, Freeman, Hanna, Huffman, Jenson, Komp, Nathanson, Read, Smith, Tomei, Williamson

Nays: McLane, Richardson

Exc:

Senate

Yeas: Bates, Devlin, Edwards, Girod, Hansell, Johnson, Monroe, Steiner Hayward, Thomsen, Whitsett, Winters

Nays:

Exc:

Prepared By: Jack Kenny, Department of Administrative Services

Reviewed By: Daron Hill, Legislative Fiscal Office

Meeting Date: July 7, 2013

Agency

Various

Biennium

2013-15

LEGISLATIVE ACTION

<u>Article XI-Q Authority</u>	
<u>Oregon Health Authority</u>	
State Hospital Replacement Project	\$ <u>86,860,000</u>
<u>Department of Human Services</u>	
Self-Sufficiency Modernization System	\$ <u>14,360,000</u>
<u>Department of Corrections</u>	
Deferred Maintenance	\$ <u>5,050,000</u>
<u>Oregon Youth Authority</u>	
Electronic Security & Deferred Maint.	\$ <u>5,165,000</u>
<u>Military Department</u>	
Scharff Hall Armory	\$ 2,870,000
Roseburg Armory	2,280,000
Medford Armory	2,445,000
Baker County Readiness Center	<u>1,235,000</u>
Subtotal	\$ <u>8,830,000</u>
<u>Department of Justice</u>	
Support Enforcement System	\$ <u>14,410,000</u>
<u>Judicial Department</u>	
e-Court System	\$ 24,855,000
Supreme Court Building	4,465,000
Multnomah County Courthouse	<u>15,270,000</u>
Subtotal	\$ <u>44,590,000</u>
<u>Oregon University System</u>	
Stott Center PSU	\$ 2,000,000
School of Business PSU	30,000,000
Theater Arts SOU	11,000,000
New College of Ed WOU	15,800,000
Cornett Hall OIT	2,000,000
Learning Commons EOU	2,000,000
Strand Hall OSU (auth in 2009)	4,847,000
Cascades Campus OSU	12,000,000
Modular Data Center OSU	7,000,000
Underground Commun. Infrastructure OSU	10,000,000
Library Shelving	990,000
Capital Renewal, Code and Safety	<u>30,000,000</u>
Subtotal	\$ <u>127,637,000</u>
<u>Department of Revenue</u>	
Core System Replacement	\$ <u>27,050,000</u>
<u>Legislative Administration</u>	
Capitol Master Plan	\$ <u>35,115,000</u>
<u>Department of Transportation</u>	
State Radio Project	\$ <u>40,730,000</u>
<u>Department of Forestry</u>	
Gilchrist Forest Acquisition	\$ 5,275,000
Eastern Lane Headquarters	<u>1,795,000</u>
Subtotal	\$ <u>7,070,000</u>
<u>Department of Veterans' Affairs</u>	
Linn County (Lebanon) Veterans' Home	\$ <u>4,065,000</u>
<u>Oregon Business Development Dept</u>	
Innovation Infrastructure	\$ <u>5,120,000</u>
TOTAL	\$ <u>426,052,000</u>

LEGISLATIVE ACTION

SB 5507 (2013) – Supreme Court Building Bonding

77th OREGON LEGISLATIVE ASSEMBLY – 2013 Session
BUDGET REPORT AND MEASURE SUMMARY

MEASURE: SB 5507-A

JOINT COMMITTEE ON WAYS AND MEANS

Carrier – House: Rep. Smith

Carrier – Senate: Sen. Girod

Action: Do Pass as Amended and as Printed A-Engrossed

Vote: 22 – 4 – 0

House

Yeas: Barker, Buckley, Frederick, Huffman, Jenson, Komp, Nathanson, Read, Smith, Tomei, Williamson

Nays: Freeman, Hanna, McLane, Richardson

Exc:

Senate

Yeas: Bates, Devlin, Edwards, Girod, Hansell, Johnson, Monroe, Steiner Hayward, Thomsen, Whitsett, Winters

Nays:

Exc:

Prepared By: Jack Kenny and Bill McGee, Department of Administrative Services

Reviewed By: Paul Siebert, Legislative Fiscal Office

Meeting Date: July 7, 2013

Agency

Capital Construction – various agencies

Department of Veterans' Affairs

Department of Forestry

Biennium

2013-15

2011-13

2009-11

LEGISLATIVE ACTION

The Subcommittee approved the extension of the project expiration dates and expenditure limitations for the following projects: the Ontario Readiness Center (Other Funds): extended to June 30, 2014; the Ontario Readiness Center (Federal Funds): extended to June 30, 2014; and the Dallas Readiness Center land acquisition (Other Funds): extended to June 30, 2015.

The subcommittee also approved the sale proposal from the Oregon Military Department, as required by ORS 396.515 (4), for the sale of the Baker City Armory.

Oregon State Police

The Subcommittee approved the extension of the project expiration date and expenditure limitation for the Oregon Wireless Interoperability Network (Federal Funds) to December 30, 2013.

Oregon Youth Authority

Electronic Security Projects: \$2,116,810 Other Funds (Article XI-Q Bonds) is approved to acquire and install security systems, including improved and expanded key control access systems, and CCTV systems.

Deferred Maintenance: \$2,958,131 Other Funds (Article XI-Q bonds) is approved to address highest priority deferred maintenance projects to provide a safe and secure environment for the public and residents. Projects are located at facilities throughout the state and address a range of needs including fire alarms, water and electrical systems and structural repairs.

Department of Corrections

Deferred Maintenance: \$4,961,000 Other Funds (Article XI-Q bonds) is approved to address highest priority deferred maintenance projects. Projects are located at facilities throughout the state and address a range of needs including HVAC repairs, security and electrical systems changes and some structural improvements.

The Subcommittee approved the extension of the project expiration dates and expenditure limitations for the following projects: Deferred Maintenance and Assessment (Other Funds): extended to April 30, 2014; and Deferred Maintenance (Other Funds): extended to April 30, 2014.

Judicial Department

Supreme Court Building Renovation: \$4,400,000 Other Funds (Article XI-Q bonds) is approved for the early stages of needed renovations. This funding will be used to address major safety issues with the exterior of the building, water penetration through the façade, and dry-rot in wooden-framed windows. This project will fund terracotta exterior repair and sealing, window repair, project management and the review and planning of future phases of critical interior renovation work.

LEGISLATIVE ACTION

HB 2322 (2013) – Judicial Salaries

JUDICIAL SALARIES

SECTION 41. ORS 292.406 is amended to read:

292.406. (1) The annual salary of the Chief Judge of the Court of Appeals shall be [~~\$125,688~~] **\$130,688** for the year beginning [~~July 1, 2009~~] **January 1, 2014**, and for each year thereafter.

(2) The annual salary of each other judge of the Court of Appeals shall be [~~\$122,820~~] **\$127,820** for the year beginning [~~July 1, 2009~~] **January 1, 2014**, and for each year thereafter.

SECTION 41a. ORS 292.406, as amended by section 41 of this 2013 Act, is amended to read:

292.406. (1) The annual salary of the Chief Judge of the Court of Appeals shall be [~~\$130,688~~] **\$135,688** for the year beginning [~~January 1, 2014,~~] **January 1, 2015**, and for each year thereafter.

(2) The annual salary of each other judge of the Court of Appeals shall be [~~\$127,820~~] **\$132,820** for the year beginning [~~January 1, 2014~~] **January 1, 2015**, and for each year thereafter.

SECTION 42. ORS 292.411 is amended to read:

292.411. (1) The annual salary of the Chief Justice of the Supreme Court shall be [~~\$128,556~~] **\$133,556** for the year beginning [~~July 1, 2009~~] **January 1, 2014**, and for each year thereafter.

(2) The annual salary of each other judge of the Supreme Court shall be [~~\$125,688~~] **\$130,688** for the year beginning [~~July 1, 2009~~] **January 1, 2014**, and for each year thereafter.

SECTION 42a. ORS 292.411, as amended by section 42 of this 2013 Act, is amended to read:

LEGISLATIVE ACTION

292.411. (1) The annual salary of the Chief Justice of the Supreme Court shall be [~~\$133,556~~] **\$138,556** for the year beginning [~~January 1, 2014~~] **January 1, 2015**, and for each year thereafter.

(2) The annual salary of each other judge of the Supreme Court shall be [~~\$130,688~~] **\$135,688** for the year beginning [~~January 1, 2014~~] **January 1, 2015**, and for each year thereafter.

SECTION 43. ORS 292.416 is amended to read:

292.416. The annual salary of each judge of a circuit court shall be [~~\$114,468~~] **\$119,468** for the year beginning [~~July 1, 2009~~] **January 1, 2014**, and for each year thereafter.

SECTION 43a. ORS 292.416, as amended by section 43 of this 2013 Act, is amended to read:

292.416. The annual salary of each judge of a circuit court shall be [~~\$119,468~~] **\$124,468** for the year beginning [~~January 1, 2014~~] **January 1, 2015**, and for each year thereafter.

SECTION 44. ORS 292.426 is amended to read:

292.426. The annual salary of the judge of the Oregon Tax Court shall be [~~\$118,164~~] **\$123,164** for the year beginning [~~July 1, 2009~~] **January 1, 2014**, and for each year thereafter.

SECTION 44a. ORS 292.426, as amended by section 44 of this 2013 Act, is amended to read:

292.426. The annual salary of the judge of the Oregon Tax Court shall be [~~\$123,164~~] **\$128,164** for the year beginning [~~January 1, 2014~~] **January 1, 2015**, and for each year thereafter.

LEGISLATIVE ACTION

HB 5008 (2013) – 2% holdback, judicial comp, OCCCIF

SECTION 62. (1) Section 2, chapter ___, Oregon Laws 2013 (Enrolled House Bill 5011), is repealed.

(2) Notwithstanding any other law limiting expenditures, the amount of \$2,166,050 is established for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the State Department of Energy for debt service for the energy efficiency and sustainable technology loan program and for home energy efficiency programs.

SECTION 63. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1 (4), chapter 499, Oregon Laws 2013 (Enrolled House Bill 5018), for the biennium beginning July 1, 2013, as modified by legislative or Emergency Board action, is increased by \$75,000 for the Oregon Crime Victims Law Center.

SECTION 64. (1) The Oregon Courthouse Capital Construction and Improvement Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned on moneys in the Oregon Courthouse Capital Construction and Improvement Fund shall be credited to the fund.

(2) The fund consists of moneys deposited in the fund pursuant to section 8, chapter ___, Oregon Laws 2013 (Enrolled Senate Bill 5506), and moneys transferred to the fund by a county pursuant to section 9 (1)(b), chapter ___, Oregon Laws 2013 (Enrolled Senate Bill 5506), and may include fees, revenues and other moneys appropriated by the Legislative Assembly for deposit in the fund.

(3) Moneys in the fund are continuously appropriated to the Judicial Department for:

(a) The purposes described in section 8 (3), chapter ___, Oregon Laws 2013 (Enrolled Senate Bill 5506);

(b) Payment of the costs incurred by the department to administer the fund; and

(c) Payment of bond-related costs, as defined in ORS 286A.816.

SECTION 65. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (4), chapter 555, Oregon Laws 2013 (Enrolled Senate Bill 5534), Oregon Laws 2013, for the biennium beginning July 1, 2013, for community support, is increased by \$15,000 for the Oregon Youth Challenge program for the reimbursement of fuel costs of the parents or legal guardians of participating youths.

SECTION 66. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Department of Administrative Services for use by the Oregon University System by section 1 (1), chapter 564, Oregon Laws 2013 (Enrolled House Bill 5031), for the biennium beginning July 1, 2013, for public university support, is increased by \$15,000,000 to limit tuition increases.

(2) Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Department of Administrative Services for use by the Oregon University System by section 1 (2), chapter 564, Oregon Laws 2013 (Enrolled House Bill 5031), for the biennium beginning July 1, 2013, for state programs, is increased by the following amounts for the following purposes:

- (a) Expansion of fermentation sciences programs at Oregon State University..... \$ 1,200,000
- (b) Labor Education Research Center at the University of Oregon..... \$ 80,000

SECTION 67. 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, 2013, out of the General Fund, the following amounts, which are to be expended for payments for the following purposes:

- (1) Historic Public Market Foundation building project..... \$ 250,000

LEGISLATIVE ACTION

SECTION 84. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 1 (1), chapter __, Oregon Laws 2013 (Enrolled House Bill 5016), for the biennium beginning July 1, 2013, for judicial compensation, is increased by \$634,980.

(2) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter __, Oregon Laws 2013 (Enrolled House Bill 5016), for the biennium beginning July 1, 2013, 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, collected or received by the Judicial Department for operations, is increased by \$335,000.

(3) Notwithstanding any other law limiting expenditures, the amount of \$1 is established for the biennium beginning July 1, 2013, 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 the Oregon Courthouse Capital Construction and Improvement Fund.

SECTION 85. Notwithstanding any other provision of law, the General Fund appropriation made to the Public Defense Services Commission by section 1 (2), chapter __, Oregon Laws 2013 (Enrolled House Bill 5041), for the biennium beginning July 1, 2013, for Professional services, is increased by \$2,409,367 for reducing juvenile dependency caseloads and increasing compensation paid to public defense services providers.

LEGISLATIVE ACTION

(6) JUDICIAL BRANCH.

Agency/Program/Funds	2013 Oregon Laws Chapter/ Section	Adjustment
Commission on Judicial Fitness and Disability: Administration		
General Fund	HB 5017 1(1)	-\$9,424
Extraordinary Expenses		

Enrolled House Bill 5008 (HB 5008-A)

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LEGISLATIVE ACTION

General Fund	HB 5017 1(2)	-206
Judicial Department: Operations		
General Fund	HB 5016 1(2)	-6,956,154
Mandated Payments		
General Fund	HB 5016 1(3)	-761,022
Electronic Court		
General Fund	HB 5016 1(4)	-117,833
Third-Party Debt Collections		
General Fund	HB 5016 1(6)	-753,336
Electronic Court Bond Proceeds		
Other funds	HB 5016 3	-190,767
Oregon Law Commission		
General Fund	HB 5016 5	-4,492
Council on Court Procedures		
General Fund	HB 5016 6	-1,040
Conciliation and Mediation Services in Circuit Courts		
General Fund	HB 5016 7(1)	-144,248
Operating Law Libraries or Providing Law Library Services		
General Fund	HB 5016 8(1)	-144,248
Public Defense Services Commission:		
Appellate Division		
General Fund	HB 5041 1(1)	-381,823
Professional Services		
General Fund	HB 5041 1(2)	-6,348,592
Contract and Business Services Division		
General Fund	HB 5041 1(3)	-95,046

LEGISLATIVE ACTION

HB 2562 (2013) – State Court Technology Fund, SCFSA changes

Budget Summary*

	2011-13 Legislatively Approved Budget ⁽¹⁾	2013-15 Current Service Level	2013-15 Committee Recommendation	Committee Change from 2011-13 Leg. Approved	
				\$ Change	% Change
Other Funds	\$ 0	\$ 0	\$ (2,909,555)	\$ (2,909,555)	100.0%
Total	\$ 0	\$ 0	\$ (2,909,555)	\$ (2,909,555)	100.0%

Position Summary

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

⁽¹⁾ Includes adjustments through December 2012

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The measure reduces revenues from justice and municipal courts to the Criminal Fine Account by a projected \$9.2 million in the 2013-15 biennium, and by \$9.4 million in the 2015-17 biennium. The measure directly reduces 2013-15 biennium state payments to counties that are funded in the Judicial Department budget by \$3,459,555, to adjust for amounts that will be provided to counties from justice and municipal court judgments.

The measure increases certain state court filing fee rates by approximately five percent for the period from October 1, 2013 through June 30, 2014. These fee rate increases are forecast to generate approximately \$1.4 million of additional revenues in the 2013-15 biennium. The measure also dedicates revenues of the amount to supporting state court electronic services and systems and providing electronic services and filing services.

Summary of Capital Construction Subcommittee Action

House Bill 2562 clarifies and updates the Oregon Judicial Department's (OJD) administrative authority in managing court processes and records in an electronic environment.

LEGISLATIVE ACTION

HB 2594 (2013) – Commitment Hearings funding

Budget Summary*

	2011-13 Legislatively Approved Budget ⁽¹⁾	2013-15 Current Service Level	2013-15 Committee Recommendation	Committee Change from 2011-13 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 0	\$ 0	\$ 100,000	\$ 100,000	100.0%
Total	\$ 0	\$ 0	\$ 100,000	\$ 100,000	100.0%

Position Summary

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

⁽¹⁾ Includes adjustments through December 2012

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The Public Safety Subcommittee established a new 2013-15 biennium General Fund appropriation to support the provisions of this bill.

Summary of Public Safety Subcommittee Action

House Bill 2594 allows courts the option of ordering assisted outpatient treatment. It allows a community mental health program director to recommend that a person alleged to have mental illness subject to a civil commitment proceeding be placed in assisted outpatient treatment (AOT). AOT is intended for adults diagnosed with a serious mental illness who are unlikely to live safely in the community without supervision and treatment, and who also are unlikely to voluntarily participate in treatment, but require treatment to prevent deterioration in their condition. The court retains jurisdiction over such persons until either the end of the period of assisted outpatient treatment or until the court finds that the person no longer meets the criteria for participation in assisted outpatient treatment.

The Oregon Judicial Department anticipates that circuit courts will conduct hearings to determine whether to order a person to participate in assisted outpatient treatment. This will increase judge and staff workloads. The Department also estimates an increase in case management by the courts. The Subcommittee appropriated \$100,000 General Fund for the expenses associated with the bill.

LEGISLATIVE ACTION

HB 2779 (2013) – Protective Order Setup Costs

Budget Summary*

	2011-13 Legislatively Approved Budget ⁽¹⁾	2013-15 Current Service Level	2013-15 Committee Recommendation	Committee Change from 2011-13 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 0	\$ 0	\$ 85,000	\$ 85,000	100.0%
Total	\$ 0	\$ 0	\$ 85,000	\$ 85,000	100.0%

Position Summary

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

⁽¹⁾ Includes adjustments through December 2012

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The provisions of this bill are supported by General Fund revenues. The Public Safety Subcommittee increased the General Fund appropriation made in section 1 (2) of the Oregon Judicial Department’s budget bill (House Bill 5016) to fund the expenses associated with House Bill 2779.

Summary of Public Safety Subcommittee Action

House Bill 2779 creates a new case type, protective orders for victims of sexual abuse. The measure authorizes the issuance of protective orders in cases where:

- The petitioner was subjected to unwanted sexual abuse within the preceding 180 days;
- A person in the petitioner’s situation would objectively fear for the petitioner’s physical safety;
- The respondent is 18 years of age or older and is not a family or household member; and
- A court has not entered an order in another case (criminal, child protection, or civil) that prohibits the respondent from contacting the petitioner.

The Oregon Judicial Department (OJD) estimates an increase in court workload related to petition filings in these cases. Court staff will need to enter the petitions into the case management system, transmit the forms to the county sheriff for service, send required copies and notices, and schedule the required hearings; and judges will spend time reviewing the cases and conduct hearings.

HB 2779-C
Page 2 of 4

LEGISLATIVE ACTION

The Subcommittee approved a one-time appropriation in the amount of \$85,000 General Fund for the 2013-15 biennium for the design, programming and testing of the new notices in the Oregon Judicial Information Network (OJIN) and the agency's new interactive data system, Oregon eCourt Case Information (OECI). Because OJD is currently engaged in a comprehensive project to convert all previous case data now stored in OJIN to OECI, the notifications required in the bill necessitate modification of both systems.

Summary of Performance Measure Action

The Subcommittee did not discuss a Key Performance Measure for the activities related to this bill.

LEGISLATIVE ACTION

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

HB 2779-C

Oregon Judicial Department
 Kay Erickson - 503-378-4588

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE	
			LIMITED	NONLIMITED	LIMITED	NONLIMITED				
2011-13 Legislatively Approved Budget at Dec 2012 *	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	0	0	0.00
2013-15 ORBITS printed Current Service Level (CSL)*	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	0	0	0.00
 <u>SUBCOMMITTEE ADJUSTMENTS (from CSL)</u>										
SCR 102: Administration and Central Support										
Services and Supplies	\$ 85,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	85,000		
TOTAL ADJUSTMENTS	\$ 85,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	85,000	0	0.00
SUBCOMMITTEE RECOMMENDATION *	\$ 85,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	85,000	0	0.00
% Change from 2011-13 Leg Approved Budget	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%		
% Change from 2013-15 Current Service Level	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%		

*Excludes Capital Construction Expenditures

LEGISLATIVE ACTION

HB 5201 (2014) - Holdback, Salary Pot, Grants, SPA

2013, for the biennium beginning July 1, 2013, for the Contract and Business Services Division, is increased by \$48,631 for state government service charges.

SECTION 21. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 1 (1), chapter 632, Oregon Laws 2013, for the biennium beginning July 1, 2013, for judicial compensation, is decreased by \$108,823.

(2) Notwithstanding any other provision of law, the General Fund appropriation made to the Judicial Department by section 1 (5), chapter 632, Oregon Laws 2013, for the biennium beginning July 1, 2013, for debt service, is decreased by \$144,201.

(3) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 632, Oregon Laws 2013, for the biennium beginning July 1, 2013, 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 632, Oregon Laws 2013, collected or received by the Judicial Department for operations, is increased by \$2,565,968 for grant-funded programs.

(4) In addition to and not in lieu of any other appropriation, there is appropriated to the Judicial Department, for the biennium beginning July 1, 2013, out of the General Fund, the amount of \$50,000 for transfer to the Douglas County court facilities security account maintained under ORS 1.182.

iciencies.

SECTION 36. (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, 2013, out of the General Fund, the amount of \$1,300,000, to be allocated to the **Judicial** Department for one-time operations investments or increases in services.

(2) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2013, out of the General Fund, the amount of \$700,000, to be allocated to the Judicial Department for third-party debt collection.

(3) If any of the moneys appropriated by subsection (1) or (2) of this section are not allocated by the Emergency Board prior to December 1, 2014, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

LEGISLATIVE ACTION

(6) JUDICIAL BRANCH.

Agency/Program/Funds	2013 Oregon Laws Chapter/ Section	Adjustment
Commission on Judicial Fitness and Disability: Administration		
General Fund	Ch. 633 1(1)	+\$1,925
Extraordinary expenses		
General Fund	Ch. 633 1(2)	+103
Judicial Department: Operations		
General Fund	Ch. 632 1(2)	+2,000,000
Mandated payments		
General Fund	Ch. 632 1(3)	+762,585
Third party debt collection		
General Fund	Ch. 632 1(6)	+250,000
Oregon Law Commission		
General Fund	Ch. 632 5	+1,123
Council on Court Procedures		
General Fund	Ch. 632 6	+260
Conciliation and mediation services in circuit courts		
General Fund	Ch. 632 7(1)	+36,062
Operating law libraries or providing law library services		
General Fund	Ch. 632 8(1)	+36,062
Public Defense Services Commission:		
Appellate Division		
General Fund	Ch. 635 1(1)	+218,511
Professional services		
General Fund	Ch. 635 1(2)	+4,617,158
Contract and Business Services Division		
General Fund	Ch. 635 1(3)	+32,712

Enrolled House Bill 5201 (HB 5201-A)

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LEGISLATIVE ACTION

(6) JUDICIAL BRANCH.

Agency/Program/Funds	2013 Oregon Laws Chapter/ Section	Adjustment
Commission on Judicial Fitness and Disability:		
General Fund	Ch. 633 1(1)	+\$2,148
Judicial Department:		
General Fund	Ch. 632 1(2)	+3,023,535
General Fund	Ch. 632 1(3)	+49,959
Other funds	Ch. 632 2(1)	+204,607
Other funds	Ch. 632 2(2)	+512
Other funds	Ch. 632 2(4)	+41,347
Other funds	Ch. 632 3	+456,254
Federal funds	Ch. 632 4	+5,242
Public Defense Services Commission:		

Enrolled House Bill 5201 (HB 5201-A)

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LEGISLATIVE ACTION

SB 5701 (2014) – CFA Allocation

Allocation of Criminal Fine Account Funds

The Committee approved a \$41,347 increase in the allocation of Criminal Fine Account (CFA) revenues to the State Court Facilities and Security Account in the Oregon Judicial Department. The increased allocation is provided to address the costs of compensation plan changes as they affect employees supported by CFA funds in the Department’s Security and Emergency Preparedness Office. House Bill 5201 increases the Judicial Department State Court Facilities and Security Account Other Funds expenditure limitation by the same amount, for expenditure of the allocated funds. This allocation increase from the CFA decreases 2013-15 biennium revenue to the General Fund by the same amount.

Summary Tables

The attached tables summarize Lottery Funds allocations and cash flows in the 2013-15 legislatively approved budget. The figures in these tables not restricted to the impacts of SB 5701, but also include the impact of a \$250,000 allocation from the EDF to the Oregon Business Development Department for a Dislocated Worker Training Program established in SB 1527, and the impacts of changes in the Lottery Revenue forecast since the close of the 2013 session.

LEGISLATIVE ACTION

SB 5703 (2014) – OCCIF for Jefferson County

Spring 2010. The 2015 Legislature will have to reauthorize the sale of these bonds under this schedule.

The Subcommittee increased the Department of Administrative Services Article XI-Q general obligation authority from \$426,052,000 to \$459,618,100 to reflect increases in funding of \$33,566,100 for projects owned or operated by the state. Increases include \$29,501,100 for various university system projects (described on page 7), and \$4,065,000 to support a \$4 million increase in funding for the Oregon Courthouse Capital Construction and Improvement Fund. The \$4 million of additional funding is designated for construction of a new three-story Jefferson County Courthouse. After the Judicial Department reviews the financing proposal for the project, and determines that the requirements as established by law for distribution of moneys from the Oregon Courthouse Capital Construction and Improvement Fund have been met, the Department will then need to request an Other Funds expenditure limitation increase from the Legislative Assembly or Emergency Board, prior to distributing any bond proceeds for this project. The bill additionally clarifies statutory language relating to the use of moneys in the Oregon Courthouse Capital Construction and Improvement Fund, and relating to the courthouse lease agreements or long-term intergovernmental agreements required of funded projects. The bill also allows the purchase price or value of land a county purchases specifically for a courthouse facility to be credited against the county matching fund requirements of the program.

SB 5703-A
Page 3 of 8

LEGISLATIVE ACTION

Summary of Budget Notes Excerpts (2013-14) and Actions

Budget Note:

The Subcommittee understands that the Oregon Judicial Department will have approximately \$24.3 million in Oregon eCourt-related expenditures during the 2013-15 biennium that will be funded with General Obligation (Article XI-Q) bond proceeds. In order to reduce the General Fund debt service requirement in the 2013-15 biennium, OJD will initially pay those costs from General Funds for operations, then have that General Fund reimbursed with bond proceeds from a bond sale in March 2015. This agreement postpones the debt service obligation to make additional General Fund available for court operations in 2013-15, but requires the bond proceeds to be received in the 2013-15 biennium so that Oregon eCourt expenditures can be paid with bond proceeds and the General Fund for court operations can be reimbursed in the 2013-15 biennium. This agreement will defer approximately \$5.2 million of General Fund-financed debt service until after the 2013-15 biennium.