

## WAYS AND MEANS LOG

SUBCOMMITTEE NO. 1

102

Date: 1-22-75

Counter Reading	Bill No.		Tape <u>3</u> Side <u>1</u>
23		Rep. Sumner	Called meeting to order. James Jones, Exec. Asst. to Sen. Potts, present for Sen. Potts until his arrival.
25	HB 5062	Rep. Sumner	Opened hearing for Supreme Court and Library budget.
27		Kenneth O'Connell, Chief Justice, Supreme Court,	talked about case loads, needs work load, new law clerk position, review clerk position.
125		Rep. Johnson	Had question on salary of proposed law clerk (permanent).
130		Justice O'Connell	Explained need for law clerk to review petitions, responsibilities of Supreme Court.
159		Sen. Roberts	Questions on hiring of law clerk.
175			Committee discussion on qualifications of law clerk to be hired.
245		Justice O'Connell	Gave review clerk's duties, reasons he is needed.
266		Betty Hands	Executive Dept., gave presentation about Supreme Court, explained budget.
270		Sen. Roberts	Asked questions about time off for judges.
280			Committee discussion and questions on elections, judges pro tem.
339		Betty Hands	Gave information about budget.
340		Loren Hicks, Court Administrator,	testified about budget.
366		Bill Barrows	Gave Fiscal Office recommendations.
377		Rep. Johnson	Questioned Loren Hicks.
379		Rep. Sumner	Questioned Loren Hicks about printing costs.
383			Committee questions about printing costs, and distribution.
392		Bill Barrows	Gave recommendations.
414		Rep. Johnson	Asked questions about Advance Sheets.
424		Rep. Sumner	Adjourned meeting. Hearing to be continued 1-23-75,

## WAYS AND MEANS LOG

SUBCOMMITTEE NO. 1

100

Date: 1-23-75

Tape 3 Side 1,2

Counter Reading	Bill No.	
430	HB 5062	Rep. Sumner Meeting called to order. Hearing opened on Supreme Court and their library continued.
432		Ray Stringham, Supreme Court librarian, gave history of library, size, budget needs, talked about increased printing and book costs, his upcoming retirement, new librarian salary increase.
472		Rep. Sumner Asked about locating a replacement for Stringham upon his retirement.
475		Stringham Discussed possibilities for locating librarian.
483		Rep. Sumner Questioned Stringham about State Law Libraries.
485		Sen. Roberts Discussed budget cut, gave compliments to Mr. Stringham on his past service.
491		Bill Barrows Discussion of problems in publications, budget recommendations.
505		Rep. Johnson Questions on convenience in library.
506		Bill Barrows Answered questions.
508		Loren Hicks, Supreme Court Administrator, continued explanation of Johnson's questions and discussed Barrows suggestion to give Court printing cost power.
515		Committee discussion on printing books, distribution, Supreme Court discontinuing publication, alternatives to publication.
567		Rep. Sumner Called for break.
567		Rep. Sumner Re-convened meeting.
568		Bill Barrows Gave Fiscal Office recommendations.
574		Committee discussion on budget.
582		Bill Barrows Continued recommendations, answered committee questions.
595		Loren Hicks Explained proposed salary increases.
		SIDE 2
1		Loren Hicks Continued about salaries, answered committee questions.
62		Bill Barrows Explained salary objectives, answered questions.
85		Betty Hands, Executive Dept., and Loren Hicks voiced agreement with Barrows.

## WAYS AND MEANS LOG

SUBCOMMITTEE NO. 1

101

Continued from page 1

Date: 1-23-75Tape 3 Side 2

Counter Reading	Bill No.	
86		Committee discussion on salaries.
133	Bill Barrows	Continued budget recommendations.
141	Rep. Sumner	Questioned Loren Hicks, followed by discussion on personnel
163	Bill Barrows	Continued budget recommendations.
185		Committee discussion on additional personnel.
199	Bill Barrows	Continued recommendations.
207		Committee questions concerning additional personnel.
219	Rep. Sumner	Scheduled work session for Supreme Court and library for 1-24-75.
219	Rep. Sumner	Meeting adjourned.

## WAYS AND MEANS LOG

SUBCOMMITTEE NO. 1

98

Date: 1-24-75Tape 3 Side 2

Counter Reading	Bill No.		
225	HB 5062	Rep. Sumner	Called meeting to order, all present. Opened hearing on Supreme Court and Library.
231		Rep. Sumner	Asked Loren Hicks, Administrator, to explain need for secretarial help.
234		Loren Hicks	Explained need for additional personnel and reorganization of personnel responsibilities.
278		Bill Barrows	Gave Fiscal Office recommendations.
292			Committee discussion and questions on printing costs.
298		Bill Barrows	Continued recommendations.
310			Committee discussion and questions on Emergency Board money.
342			Discussion and questions on state insurance, bar dues, budget paid or not.
366		Bill Barrows	Continued Fiscal Office recommendations.
373			Discussion on budget and rights of court and committee, balance of power.
378		Loren Hicks	Defended payment of bar dues.
385			Discussion on budget and rights of court and committee.
409		Bill Barrows	Continued recommendation on budget line items.
420		Loren Hicks	Told about conferences and meetings, answered committee questions.
438		Bill Barrows	Continued recommendations followed by committee discussion on rent of state buildings.
450		Bill Barrows	Continued recommendations.
452			Committee asked Hicks to explain miscellaneous charges.
458			Committee discussion on services offered by General Services.
462		Loren Hicks	Discussed remodeling money that might be needed.
468			Committee discussion on remodeling costs, procedures, budget in general.
470	Bill Barrows	Gave recommendations and committee discussion on budget, also Supreme Court needs.	

## WAYS AND MEANS LOG

SUBCOMMITTEE NO. 1

99

Continued from page 1

Date: 1-24-75

Counter reading	Bill No.		Tape <u>3</u> Side <u>2</u>
500	HB 5062	Committee asked for estimates on carpeting for Supreme Court library.	
515	SB 5557	Rep. Sumner	Meeting adjourned. Hearings next on Uniform State Laws, continue Supreme Court

## WAYS AND MEANS LOG

SUBCOMMITTEE NO. 1

96

Date: 1-27-75Tape 4 Side 1

Counter Reading	Bill No.		
1	SB 5557	Sen. Potts	Called meeting to order, Summer late. Opened hearing on Commission on Uniform State Laws
6		Justice McCallister,	Oregon Supreme Court told of history of Commission, voiced his support.
24		Jim Dezen Dorf, Commissioner for Uniform State Laws,	gave background, members, past and present, some of the laws passed, explained budget.
65		Sen. Roberts	Questions on travel expenses in budget.
94			Committee questions on number of commissioners funded by budget, travel expenses.
117		Larry Harvey, Dean, Wallamette University College of Law,	gave his reasons for funding the commission.
137		M. J. Robert, Representative from Bar Association, also professor of law at U of O,	gave support for the budget.
160		Rep. Sumner	Hearing closed, work session scheduled for later date.
165			Committee discussion on budget and funding of commissioners changing statute.
188		HB 5062	Rep. Sumner
190	Bill Barrows		Gave Fiscal Office recommendations concerning salary.
206	Rep. Johnson		Question on salary and fringe benefits.
215	Bill Barrows		Answered questions, continued recommendations concerning Supreme Court librarian salary.
234			Discussion by committee on salary range.
265	Loren Hicks, Administrator, Supreme Court,		discussed replacement for librarian.
280			Discussion by committee on salary.
303	Betty Hands, Executive Office,		asked question on salary range.
308			Committee discussion on salary for librarian.
328	Rep. Johnson		Stated satisfaction with salary range 26.
331			Committee had no objections.
332	Bill Barrows		Continued Fiscal Office recommendations on Supreme Court library budget.

## WAYS AND MEANS LOG

SUBCOMMITTEE NO. 1

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Continued from page 1

Date: 1-27-75Tape 4 Side 1

Counter Reading	Bill No.		
356	SB 5557	Sen. Roberts	Wanted to consider putting Com. on Uniform State Laws under Supreme Court jurisdiction.
360		Loren Hicks	Said that Commission on Uniform State Laws is legislative, not judicial, also discussed carpeting costs and Addressograph request.
386	HB 5062	Bill Barrows	Continued recommendations.
400			Committee discussion and questions on state funds for partially funded federal programs.
450		Loren Hicks	Explained travel expenses, need for judges to attend conferences, answered committee questions on travel expenses.
487		Rep. Johnson	Asked number of federal programs available, and if they are particular about which ones they choose to match with state funds.
489		Sen. Roberts	Wanted to know if state budgets can be combined so that travel money will be completely tallied.
493		Rep. Johnson	Asked questions about Hicks' job and who hired him, also about responsibilities.
501		Loren Hicks	Explained what might be done regarding his job, also the system used in California.
509		Bill Barrows	Continued recommendations on salaries, new programs.
519		Rep. Sumner	Secretary of State hearing 1-28-75.
522		Rep. Sumner	Hearing adjourned.

## WAYS AND MEANS LOG

SUBCOMMITTEE NO. 1

83

Date: 2-4-75

Tape 6 Side 1

Counter Reading	Bill No.		
70	HB 5062	Rep. Sumner	Meeting called to order, all present. Work session on Supreme Court opened.
76	HB 5061	Rep. Johnson	Moved that budget note for Public Defender budget be accept
78			MOTION PASSED.
80	HB 5062	Rep. Sumner	Opened work session.
87			Committee questions and discussion on budget to Bill Barrow
111		Rep. Johnson	Moved to start career attorney, approve review attorney.
115			Discussion on motion.
154		Sen. Roberts	Proposed amendment to motion, to eliminate lines 11 and 12 and approve review attorney, and one law clerk.
159			MOTION PASSED.
60		Bill Barrows	Continued Fiscal Office budget recommendations.
164		Rep. Sumner	Called for vote on Johnson's motion with amendments. MOTION PASSED.
166			Committee by unanimous consent reclassified secretary's position.
167		Bill Barrows	Continued recommendations.
172		Sen. Roberts	Moved that accounting clerk be approved. MOTION PASSED.
174		Bill Barrows	Continued recommendations, answered committee questions.
198			Committee by unanimous consent approved two temporary law clerks at \$715 per month.
206	SB 5555	Rep. Sumner	Closed work session. Opened Public Employees Retirement System budget hearing.
216		Jim McGoffin,	Executive Secretary of Public Employees Retirement System, gave agency presentation, expenditures, budget needs, personnel needs, requests.
299		Rep. Sumner	Questions on total budget requested, also program improve- ments.
302		Jim McGoffin	Continued presentation.
308			Committee discussion on agency request, John Yunker, Execu- tive budget analyst, discussed recommendations.



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WAYS AND MEANS LOG

SUBCOMMITTEE NO. 1

79

Continued from page 1

Date: 2-7-75

Tape 6 Side 2

Counter Reading	Bill No.	
413	HB 2160	MOTION PASSED.
415	SB 5556	Duane Wolfe Explained proposal to change charge to deposits and checks, charge per transaction instead of per check. Answered committee questions.
430		Committee discussion on emergency clause.
436		Rep. Johnson Moved for introduction to full committee.
437		MOTION PASSED.
438		Duane Wolfe Gave recommendations on equipment asked for.
441		Committee by unanimous consent decided to reduce budget not grant equipment.
447		Duane Wolfe Gave recommendations on budget, answered committee question
460		Sen. Roberts Suggested upgrading one position and elimination two others for a budget savings, answered committee questions.
470		Committee discussion on Sen. Roberts' proposal.
496		Duane Wolfe Gave recommendations on what can be done.
500		Committee discussion on positions.
524		Jim Redden, State Treasurer, answered committee questions on Roberts' proposal.
535		Committee discussion and questions on budget notes and posi tion proposal, reclassifications.
569		Sen. Roberts Moved to send budget to full committee with do pass recomme dation.
570		MOTION PASSED.
571		Rep. Sumner Assigned Sen. Roberts to carry to full committee.
574	HB 5062	Rep. Sumner Opened hearing on Supreme Court.
580		Bill Barrows Gave Fiscal Office recommendations on supplies and services
585		Sen. Potts Question on reduction of funds and how shown.
592		Sen. Roberts Suggested a cut in travel expenses.
603		Committee discussion on travel expenses.  Loren Hicks, Administrator, Supreme Court, explained travel expenses and answered committee questions.

WAYS AND MEANS LOG

SUBCOMMITTEE NO. 1

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Continued from page 2

Date: 2-7-75

Tape 6,7 Side 2,1

Counter reading	Bill No.	
615	HB 5062	Committee discussion on travel expenses and why.
626	Sen. Roberts	Moved travel be reduced to \$4,000.
627		Committee discussion on motion.
628		MOTION PASSED.
		TAPE 7 SIDE 1
1		Committee discussion on salaries.
5	Rep. Johnson	Moved to approve Fiscal Office recommendations on supplies and services.
6		MOTION PASSED.
8	Bill Barrows	Gave Fiscal Office recommendations on rent, capital outlay.
15		Committee by unanimous consent changed capital outlay amount
20		Committee discussion and questions on addressograph machine.
32	Rep. Sumner	Adjourned meeting.

## WAYS AND MEANS LOG

SUBCOMMITTEE NO. 1

76

Date: 2-17-75

Tape 7 Side 1

Counter reading	Bill No.		
35		Rep. Sumner	Called meeting to order, Rep. Johnson excused.
40	HB 5062	Rep. Sumner	Opened work session on Supreme Court budget.
44		Loren Hicks, Court Administrator,	answered committee question on Addressograph.
58		Sen. Potts	Moved that money for Addressograph be removed.
59			MOTION PASSED.
60		Bill Barrows	Explained funds budgeted for furniture.
65		Loren Hicks	Answered question on furniture.
68		Sen. Roberts	Moved that furniture funds be reduced \$600.
69			MOTION PASSED.
72			Committee questions to Hicks about side chairs.
77		Sen. Roberts	Moved that side chair funds be deleted.
80			MOTION PASSED.
82		Bill Barrows	Recommendations on Supreme Court library budget, followed by committee discussion and questions.
101		Bill Barrows	Recommendations on Judicial Information system.
115			Committee questions on federal funds, budget.
152		Sen. Potts	Moved that Fiscal Office adjustments be passed.
153			MOTION PASSED.
156		Bill Barrows	Gave recommendations about Court Information officer followed by committee discussion and questions to Hicks and Barrows.
224		Sen. Roberts	Moved to approve Judicial Information officer, funding for one year and budget note to review and continue after that.
226			MOTION PASSED.
236		Bill Barrows	Continued recommendation on Judicial Information equipment.
275		Loren Hicks	Answered committee questions.
277		Bill Barrows	Answered committee questions.

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Continued from page 1

Date: 2-17-75Tape 7 Side 1

Counter leading	Bill No.	
280	HB 5062	Committee discussion on judicial information system federal funds. Barrows and Mr. Mayhue, Supreme Court, answered.
345		Committee by unanimous consent approved funding of Judicial Information system.
349	Bill Barrows	Read amendments about Advance Sheets and Oregon Reports.
362	Sen. Potts	Moved that amendments be passed.
363		MOTION PASSED.
365	Sen. Roberts	Moved bill to full committee with do pass recommendation.
366		MOTION PASSED.
367	HB 5056 Rep. Sumner	Opened work session on Oregon Ethics Commission.
370	Duane Wolfe	Gave Fiscal Office recommendations on budget.
379		Committee discussion and questions on budget, Wolfe answered.
385		Committee discussion on common cause bills.
401	Jay Gould	Explained bill to be introduced to full committee, concerning funding Dept. of General Services.
405	Sen. Roberts	Moved for introduction of bill.  MOTION PASSED.
407	Sen. Roberts	Discussed common cause bills.
422	HB 5056 Sen. Potts	Moved to pass 3 month budget.
423		Committee discussion on budget.
444		MOTION PASSED.
446	Rep. Sumner	Meeting adjourned.

## WAYS AND MEANS LOG

SUBCOMMITTEE NO. 1

66

Date: 2-25-75Tape 9 Side 1

Counter Reading	Bill No.		
1		Rep. Sumner	Called meeting to order, all present.
5	HB 5048	Rep. Sumner	Opened work session on Governor's Office budget.
10			Committee discussion and questions on budget. Sexson and Barrows responded.
45			Committee questions on governor's office budget. Sexson answered.
66			Questions on housing, Sexson answered.
82		Rep. Akeson	Question on federal funds, publicity.
100		Rep. Sumner	Questions on expenditure limitation, Sexson answered.
110			Committee discussion on expenditures above limitation.
168		Rep. Sumner	Changed to Natural Resources section of budget.
76		Bill Barrows	Explanation of funds spent.
180			Discussion on budget note and energy conservation and allocation.
201		Bill Barrows	Read budget note.
209			Discussion on budget note.
249		Rep. Johnson	Moved to accept both budget notes as amended.
252			Discussion on motion.
261			MOTION PASSED.
262		Rep. Johnson	Moved to pass budget with budget notes with do pass recommendation to full committee.
263			MOTION PASSED.
266		David Piper, Director,	Energy Conservation and Allocation, Governor's Office, explained programs.
279			Discussion on programs and federal controls.
315	HB 5062	Bill Barrows	Discussed amendments for Supreme Court budget and proposed to change "opinions" to "decisions".
319		Rep. Johnson	Moved to change wording.
320			MOTION PASSED.

Subcommittees

Senator Ripper announced appointment of Subcommittees as follows:

Subcommittee No. 1

Representative Summer, Chairman  
Senator Potts  
Senator Roberts  
Representative Johnson

Subcommittee No. 4

Senator Potts, Co-Chairman  
Senator Roberts, Co-Chairman  
Representative Gwinn  
Representative Stevenson

Subcommittee No. 2

Representative Stevenson, Chairman  
Senator Heard  
Senator McCoy  
Representative Katz

Subcommittee No. 5

Representative Katz, Chairman  
Senator McCoy  
Senator Meeker  
Representative Johnson

Subcommittee No. 3

Senator Fadeley, Chairman  
Senator Meeker  
Representative Gustafson  
Representative Gwinn

Subcommittee No. 6

Senator Heard, Chairman  
Senator Fadeley  
Representative Gustafson  
Representative Summer

Bills for introduction:

At the Chairman's request, Mr. Gould explained that 60 appropriation bills (HB 5001-5011, 5013, 5017, 5022-5030, 5032-5036, 5038-5039, 5041-5044, 5050-5053, and 5057-5062, and SB 5510, 5512-5513, 5517-5518, 5521, 5533, 5540-5541, 5549, 5551, 5553, 5556-5557, and 5561-5563) have been received for introduction from the Executive Department. He noted that some appropriation bills have already been introduced on the Senate side. There will be additional appropriation bills to be introduced. In previous Sessions, all of the appropriation bills have been introduced in the House but the change was made in the hope that this would even out the workload in the two Houses. Any bill providing for increased revenue is being introduced in the House as required.

Representative Akeson moved that the 60 appropriation bills be approved for introduction by the Joint Ways and Means Committee, 43 in the House and 17 in the Senate. Motion carried unanimously.

13 57  
Relating to state financial affairs; and declaring an emergency.

13 51  
Relating to certain state employes; amending ORS 240.205; and declaring an emergency.

Senator Heard said these two bills were recommended by a special Subcommittee of the Emergency Board appointed by President Boe concerning Comprehensive Employment and Training Act Funds. The first bill would exempt all Federal Funds received under CETA and the Emergency Jobs and Unemployment Assistance Act of 1974 from budgetary control for the remainder of the current

House Bill 5023--Relating to the financial administration of the Oregon State Board of Nursing; limiting expenditures; and declaring an emergency.

Representative Stevenson said Subcommittee No. 4 reduced the Governor's recommended budget for the State Board of Nursing by \$13,065, mostly in salary reclassifications, per diem for Board members and Services and Supplies items. In addition, it is recommended the budget be separated into two expenditure limitations, one for administration and one for continuing education. One-fourth of fees collected are to be used for continuing education, but the agency's accounting system was not adequate to reflect the amount spent; therefore, the division in limitation so this expenditure can be accounted for separately.

Representative Stevenson moved that House Bill 5023 be amended by deleting "sum of \$464,597 is" and inserting "following sums are" in line 5 of the printed bill, deleting the period in line 8 and inserting "for the following purposes: (1) Administration, \$376,827, (2) Education, \$74,705", and deleting "on its passage" and inserting "July 1, 1975" in line 11, and that the bill be reported out "Do pass as amended." Motion carried unanimously on roll call vote.

House Bill 5062--Relating to the financial administration of the Supreme Court; appropriating money; limiting expenditures; and declaring an emergency.

Representative Summer explained that the budget of the Supreme Court and Library reflects the continued growth of the centralized Court Administrator's Office which deals with services for both the Supreme Court and Court of Appeals and increasing functions relating to trial courts throughout the state. Subcommittee No. 1 recommends that complete authority for publishing, distributing and establishing prices for sale of Oregon Reports and Advance Sheets be in the Court Administrator's Office. This should result in publications being sold at prices which will recover full costs of printing, distribution, storage and use of money on all copies sold and reduce the number of copies distributed without charge to an absolute minimum. The budget provides for essential staffing necessary to handle workload within the Supreme Court and Administrator's Office. Continued use of federal funds for training judges and court administrative personnel is recommended, with approval of the Court's Information Officer project financed mainly from federal funds on a one-year trial basis. If the office is to be continued, the Emergency Board should review the project and evaluate the proposal before continuing on for a second year. The Subcommittee recommends authorizing continuation of the State Judicial Information System project with federal funds now available through December 31, 1975. A grant application covering federal support for the remaining systems design and implementation over the last 18 months of the 1975-77 biennium is being developed, and it is recommended that the Legislative Fiscal Office complete a detailed analysis of the system, including potential costs and benefits for presentation to the Emergency Board when it considers the expenditure limitation necessary to utilize the expected grant funds. A total General Fund budget of \$2,151,956 is recommended, which is a reduction of more than \$105,000 from that requested by the agency.

Representative Sumner moved that House Bill 5062 be amended as set out on the printed agenda, by correcting the title, deleting "\$2,257,347" and inserting "\$2,151,956" in line 6, deleting "\$240,559" and inserting "\$226,313" in line 7, adding a new section to establish an Other Funds expenditure limitation of \$9,855, amending ORS sections relating to Advance Sheets and Oregon Reports, renumbering section "3" to "9", and changing the effective date to "July 1, 1975", and that it be reported out "Do pass as amended."

In response to Senator Fadeley's questions, Representative Sumner said the proposal relating to Advance Sheets is that full cost of printing, distribution and other costs of those copies sold be recovered. Senator Fadeley thought that had been policy for several years to try to keep up with costs, and he supported the concept of recovering full cost.

Representative Sumner's motion carried unanimously on roll call vote.

Senate Bill 5515--Relating to the state aid for local school districts; appropriating money; and declaring an emergency.

Senator Ripper reported that Subcommittee No. 5 recommends Basic School Support of \$36 million over that recommended by the Governor. He thought a majority of members of the 1975 Legislative Assembly ran on the premise that 30 percent Basic School Support would be provided. The amount was arrived at by dividing the estimated cost of education in 1974-75 by the number of students, arriving at a per student cost of education of \$1,171. To this was added a 13.3 percent cost of inflation, arriving at \$1,327 as the cost of education in Oregon in 1975-76. Multiplying by the number of students, the total estimated cost is \$669 plus million, or \$200,732,970 at 30 percent for the first year. The rate of inflation for the second year is estimated at eight percent. Because of the possibility that the rate of inflation could remain as high as 13 percent and in order to maintain the 30 percent, an additional amount equivalent to five percent is appropriated to the Emergency Board. For each percentage point above eight, another \$2 million will be put into Basic. If the amount appropriated to the Emergency Board is not required, it becomes part of the beginning balance for the following biennium.

It was his hope that this proposal would answer the School Boards which have continually brought up their problem in that there is not very much reliability on what they can expect from the State through Basic. If the proposed policy relating to providing funds based on the cost of living index is continued, and he thought it would be, the school districts can be guaranteed a 30 percent support level for existing programs. This should provide a base from which the School Boards can negotiate with teachers and plan programs. Individual districts, under local control, can enrich programs but that would be their own responsibility. Because of variations in programs among districts, all will not reach 30 percent but the majority will.



HB 5062  
1977 Ways  
+ means  
8 pp

58th LEGISLATIVE ASSEMBLY - 1975  
JOINT WAYS AND MEANS COMMITTEE

Record of Subcommittee Proceedings

Bill No: HB 5062

Agency Name or Bill Description: Supreme Court and Supreme Court Library

Analysts: Legislative Fiscal Barrows Executive Hands

Date of Hearing

Comments and Action

Jan. 22, 75 Hearing opened with statement from Chief Justice O'Connell. Started analysts.

Jan 23, 75 Supreme Court Library - continued w/analysts presentation.

January 24, 75 Supreme Court analyst continued - all present.

Jan 30, 75 All members present. Went through Courts Information and S.I.S.

Feb 4, 1975 Work Session - all members present

Feb 7, 1975 Work Session - 9:30 all present.

Feb 17, 1975 Work Session - 8:00 Sen. Roberts + Rep. Johnson excused.

Moved to full committee - do pass as amended.

Feb 25, 1975 Short work session at 8:15 covering technical changes to amendments.

Subcommittee Chairman 

Designated to Carry: House Summer Senate Roberts Full Com. Summer

3706 2

February 28, 1975

The Honorable Kenneth J. O'Connell  
Chief Justice of the Supreme Court  
Supreme Court Building  
Salem, Oregon

Dear Justice O'Connell:

Extensive discussions were held during the Courts' budget hearings concerning the employment of law clerks. Although the practice apparently has been to engage recent graduates of major law schools with top academic standing and law review experience, it was indicated in testimony that the present selection criteria do not necessarily produce candidates of uniformly high usefulness to the Courts. It is also understood that some of the law clerk positions are being transformed from annual status to career status in order to obtain better and more consistent assistance for the Courts.

It is the Subcommittee's belief that a re-examination of the traditions and criteria surrounding the selection of law clerks may be useful in view of your changing needs and circumstances. Greater emphasis, perhaps, should be placed upon interest, aptitude for appellate research work, and the ability to produce both the quality and the quantity of work required than upon scholastic standing. The employment of law clerks should continue to be a prestigious opportunity, but it can hopefully become of greater service to the Court and less an award in recognition of academic performance.

The Subcommittee is hopeful that its suggestions will be accepted constructively, as they are intended, and as being supportive of the Courts and their work.

Very truly yours,

Representative Jack Sumner  
Chairman, Subcommittee 1

JS:mh

BUDGET REPORT - Joint Committee on Ways and Means - 58th Legislative Assembly

Agency SUPREME COURT

Budget Page Bill No. Biennium Subcommittee

IX 18, 19 HB 5062 1975-77 #1

Prepared by: (Executive Department)

Elizabeth S. Hands *Elizabeth S. Hands*

Reviewed by: (Legislative Fiscal Office)

William Barrows *William Barrows*

Sen. Debbs Potts

Sen. Mary Roberts

Rep. Jack Sumner

Rep. Sam Johnson

Chairman

Date February 28, 1975

1973-75  
Budget Appropriation  
Description  
Estimated Expenditures

OPERATING

General Fund \$1,929,899  
 Other Funds 6,195  
 Federal Funds 249,559  
 Total funds \$2,185,653

1975-77

Governor's Budget Subcommittee Joint Committee Differences from  
Recommendation Recommendation Recommendation Governor's Rec.  
Agency Request

\$2,257,347 \$2,151,956 \$2,151,956 \$ -105,391  
 -- 9,855 9,855 +9,855  
 240,559 226,313 226,313 -14,246  
 \$2,497,906 \$2,388,124 \$2,388,124 \$ -109,782

SUMMARY OF SUBCOMMITTEE ACTION

The subcommittee made the following changes from the budget requested by the Supreme Court.

SUPREME COURT ADMINISTRATION

Personal Services  
 Reduce salary of legal research assistant \$ 37,488  
 Reduce salary of legal counsel 37,488  
 Retain law clerk, delete reclass 26,400  
 Reduce salary request for law clerks 17,352  
 184,800

<u>Page</u>	<u>Line</u>	<u>Agency Request</u>	<u>Subcommittee Recommendation</u>	<u>Change</u>
15	8	\$ 45,552	\$ 37,488	\$ -8,064
15	10	45,552	37,488	-8,064
15	12	28,200	26,400	-1,800
16	24	17,352	--	-17,352
15	14	197,400	184,800	-12,600

	Page	Line	Agency Request	Subcommittee Recommendation	Change
Reduce salary of career attorney (petition for review)	16	26	\$ 45,552	\$ 37,488	\$ -8,064
Delete one Secretary 4	16	28	28,176	14,088	-14,088
Adjust OPE (base budget)	16	14	134,730	128,626	-6,104
Adjust OPE (increased workload)	17	8	12,161	7,816	-4,345
<b>Subtotal (General Fund)</b>					<b>\$-80,481</b>
<u>Services and Supplies</u>					
Decrease out-of-state travel	19	6	4,500	4,000	-500
Decrease General Fund	19	34	440,460	430,605	-9,855
Increase Other Funds (indirect costs)	19	36	--	9,855	+9,855
Decrease Federal Funds (indirect costs)* for Judicial Education for courts information officer	34	14	8,224	--	-8,224
	42	11	1,826*	--	-1,631
<b>Subtotal (General Fund)</b>					<b>\$ -500</b>
<u>Capital Outlay</u>					
Delete three side chairs	20	6	900	--	-900
Delete replacement sofa	20	8	600	--	-600
Delete addressograph	20	16	4,000	--	-4,000
Reduce amount for carpeting	20	18	18,000	12,000	-6,000
<b>Subtotal (General Fund)</b>					<b>\$-11,500</b>
<u>LIBRARY</u>					
<u>Personal Services</u>					
Reduce salary of Librarian	23	2	40,000	35,688	-4,312
Adjust OPE	22	4	15,266	15,055	-211
<b>Subtotal (General Fund)</b>					<b>\$ -4,523</b>

\* (revised to \$1,631)

JUDICIAL EDUCATION

	<u>Page</u>	<u>Line</u>	<u>Agency Request</u>	<u>Subcommittee Recommendation</u>	<u>Change</u>
<u>Personal Services</u>					
Adjust salary of legal editor	32	4	\$ 7,528	\$ 7,344	\$ -184
Adjust salary of Secretary 5	32	6	6,598	6,435	-163
Adjust OPE	32	10	1,858	1,812	-46
Subtotal (Federal Funds)					\$ -393

COURTS INFORMATION OFFICER (adjusted for one year operation)

<u>Personal Services</u>					
Reduce salary of Court Information Officer	40	4	34,812	13,968	-20,844
Revise Secretary 5 to Secretary 4	40	6	17,592	7,044	-10,548
Adjust OPE	40	10	6,419	2,574	-3,845
Subtotal (Federal Funds)					\$-35,237

<u>Services and Supplies</u>					
Reduce travel	42	3/4	3,600	1,700	-1,900
Reduce office expenses	42	5/6	2,900	1,350	-1,550
Reduce printing	42	7/8	4,650	2,200	-2,450
Reduce professional services	42	9/10	210	100	-110
Reduce indirect costs	42	11/12	3,770	1,631	-2,139
Subtotal (General Fund)					\$ -8,149

<u>Capital Outlay</u>					
Correction	43	8	176	156	-20
Adjust for one year operation	43	12	1,000	500	-500
Subtotal (Federal Funds) (General Fund)					\$ -520
					(\$-282 FF and \$-238 GF)

STATE JUDICIAL INFORMATION SYSTEM

Adjustment for grant and carry forward	46	20	47,084	48,612	+1,528
	49	14	18,955	5,499	+14,639
	--	--	--	5,499	+5,499
Subtotal (Federal Funds)					\$+21,666

TOTAL ADJUSTMENTS ---	General Fund	\$-105,391
	Other Funds	+9,855
	Federal Funds	<u>-14,246</u>
		\$-109,782

BUDGET NOTE

- (1) The subcommittee directed that the salaries be subject to the regular salary adjustments received by the state and adjusted the salaries to exclude salary adjustments by the Supreme Court Administration. Law clerk salaries in all of the courts are recommended to be adjusted to \$1,150 per month on July 1, 1975, and \$1,200 per month on July 1, 1976 to be financed from the Salary Adjustment Fund.
- (2) The Court Information officer and secretary were recommended to be funded for one year of operation after which they are to appear before the Emergency Board to obtain approval for the second year. Their program budget as adjusted therefore contains 10 percent General Fund match. The Emergency Board should evaluate this program before giving its approval for a second year of operation.
- (3) The federal funds for the State Judicial Information System are estimated to fund this operation for six months into the 1975-77 biennium, after which time a continuation of the grant will be required. The Subcommittee recommends the Supreme Court apply for the subsequent grant. Any increased limitation and matching requirements are to be obtained from the Emergency Board. A special analysis of the Judicial Information System is to be conducted by the Legislative Fiscal Office prior to Emergency Board appearance to provide information concerning the program, its ongoing cost to the state, and potential savings which may be realized at the county level.
- (4) Funds to replace addressograph equipment were deleted from the budget request, with the understanding that when specific needs and types of alternative equipment are explored, the Supreme Court Administration may return to the Emergency Board for funding the appropriate equipment or service requirement.
- (5) The subcommittee directed preparation of amendments to existing statutes placing the authority to set prices for the Oregon Reports and Advance Sheets in the Court Administrator. The Court Administrator is also to be provided with discretionary authority concerning distribution of free copies of these publications.  
The subcommittee recommends that the prices of publications be established at levels which will fully recover the costs of printing, storage, distribution and a fair return on inventories of unsold volumes in the case of all publications sold or held for sale. The subcommittee recommends that free distributions of publications to Executive Branch agencies be discontinued.

The intent of the subcommittee's recommendations regarding publications is to place the full authority and responsibility for publication of the Advance Sheets and the Oregon Reports to the State Court Administrator to ensure that the selection of the material to be published, format, quantities, distributions, pricing, etc., will all be under one management, thereby enhancing the opportunity to achieve a basis of full self-support for all publications actually sold. It is envisioned that free distribution of required publications to judges and district attorneys will continue as in the past.

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The initial request for federal funds was larger than final budget due to reduction of the size of the grants from the Law Enforcement Council.

SUPREME COURT  
House Bill 5062

The budget of the Supreme Court and Library reflects continued growth of the centralized Court Administrator's Office, which deals with services for both the Supreme Court and the Court of Appeals and with an increasing number of functions which relate to the trial courts located throughout the state.

The Committee recommends that complete authority for publishing, distributing and establishing prices for the sale of Oregon Reports and Advance Sheets be focused in the Court Administrator's Office. This should result in these publications being sold at prices which will recover the full costs of printing, distribution, storage and the use of money on all copies actually sold, and reduce the number of copies distributed without charge to an absolute minimum.

The budget provides for <sup>workload increase</sup> (essential staffing necessary to handle workload) within the Supreme Court and within the Administrator's Office. The Committee recommends continued use of federal funds for training judges and court administrative personnel. The Committee recommends approval of a Court's Information Officer project financed mainly from federal funds on a one-year trial basis. If the office is to be continued, the Emergency Board should review the project and evaluate the proposal before continuing on for a second year.

The Committee recommends authorizing continuation of the State Judicial Information System project with federal funds currently available through December 31, 1975. A grant application covering federal support for the remaining systems design and implementation for the system over the last 18 months of 1975-77 is being developed, but the Committee recommends that the Legislative Fiscal Office complete a detailed analysis of the system, its ongoing costs and its potential benefits for presentation to the Emergency Board at the time it considers the expenditure limitations necessary to utilize the expected grant funds.



WAYS AND MEANS LOG  
 FULL COMMITTEE  
~~SUBCOMMITTEE NO. ---~~

Date: Feb. 28, 1975

Tape 2 Side 2

Counter Reading	Bill No.		
1300		Rep. Akeson	Opens meeting
1301		Jay Gould	Presents appropriation bill for introduction at the request of the Exec. Dept.
1B10		Sen. Ripper	Introduces bill relating to liability of public bodies at the request of the Dept. of Gen. Services.
1318	HB2409	Sen. Ripper	Recommends the bill as previously amended be reported out do pass  MOTION CARRIED
1335	HB5013	Sen. Fadeley	Moves the bill be reported out do pass with amendments as printed on the agenda.  MOTION CARRIED
14	HB5023	Rep. Stevenson	Recommends the bill be reported out do pass with amendments.  MOTION CARRIED
1364	HB5062	Rep. Sumner	Recommends the bill be reported out do pass with amendments attached to agenda/  MOTION CARRIED
1398	SB5515	Sen. Ripper	Recommends bill be reported out do pass with amendments.  DISCUSSION
1530	SB5515	Rep. Akeson	Explains he thinkd there is a discrepancy in amendments on budget so will adjourn until after lunch so analysts can make correction.
1539			Adjourned
1540		Rep. Akeson	Opens Meeting
1542	HB5515	Sen. Ripper	Moves acceptance of new printed amendments and bill be reported out do pass.  MOTION CARRIED
1560	SB426	Rep. Stevenson	Recommends the bill be reported out do pass with amendments.  MOTION CARRIED

HB 5062--Supreme Court (Budget p. IX-17)

Sub. No. 1--Rep. Sumner - Recommends the bill be reported out (House) do pass with the attached amendments

General Fund	\$	2,151,956
Other Funds	\$	9,855
Federal Funds	\$	226,313

SB 5515--Basic School Support Fund (Budget p. II-17)

Sub. No. 5--Sen. Ripper - Recommends the bill be reported out (Senate) do pass with the following amendments:

In line 7 of the printed bill, delete "\$346,890,044" and insert "\$373,677,447".

In line 9, delete "\$165,495,827" and insert "\$178,354,014".

In line 10, delete "\$181,394,217" and insert "\$195,323,433".

After line 17 insert:

"Section 3. In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, out of the General Fund, for the fiscal year beginning July 1, 1976, the sum of \$9,381,190, to be allocated to the Basic School Support Fund if the Consumer Price Index for the Portland Metropolitan Statistical Area exceeds eight percent for the year ending January 31, 1976, to be credited at a rate equal to 20 percent thereof for each percentage point or portion thereof of the increase in the Consumer Price Index over eight percent."

In line 18, delete "3" and insert "4".

In line 20, delete "on its passage" and insert "July 1, 1975".

General Fund	\$427,560,093
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NON-BUDGET BILLS CONSIDERED BY SUBCOMMITTEE AND NOW BEFORE FULL COMMITTEE

SB 426 --Relating to jurisdiction over certain federal lands.

Sub. No. 2--Rep. Stevenson - Recommends the bill be reported out (Senate) do pass with the following amendments:

In line 5 of the printed bill, delete "an agreement" and insert "agreements".

In line 10, after the second comma, delete "and".

In line 11, before the period insert ", and Willamette National Cemetery, Portland, Oregon".

SB 482 --Relating to low income housing.

Sub. No. 2--Rep. Stevenson - Recommends the bill be reported out (Senate) do pass with the following amendments:

On page 3 of the printed bill, line 17, delete "such" and insert "the" and in the same line delete "as required" and insert "in order".