

Legislative Fiscal Office

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Oregon Legislative Emergency Board

Sen. Peter Courtney, Senate Co-Chair
Rep. Tina Kotek, House Co-Chair

Certificate

December 14, 2018

Pursuant to the provisions of ORS 291.328, and acting under the authority of ORS 291.326(1)(a), (b), (c), and (d); ORS 291.371; ORS 291.375; and ORS 656.612(6) this hereby certifies that the Emergency Board, meeting on December 14, 2018, took the following actions:

- 1. Public Defense Services Commission**
Allocated \$66,000 from the Emergency Fund established by section 1, chapter 702, Oregon Laws 2017, to supplement the appropriation made to the Public Defense Services Commission by section 1(3), chapter 582, Oregon Laws 2017, Contracts and Business Services Division, to address workflow needs through the end of the biennium.
- 2. Public Defense Services Commission**
Acknowledged receipt of a report on the status of the Professional Services Account.
- 3. Public Defense Services Commission**
Acknowledged receipt of a report on the implementation of SB 505 (2017), related to grand jury recordation.
- 4. Judicial Department**
Acknowledged receipt of a report on the implementation of SB 505 (2017), related to grand jury recordation, and authorized the use of funds appropriated by section 16, chapter 650, Oregon Laws 2017, for statewide implementation of SB 505.
- 5. Judicial Department**
Approved, retroactively, the submission of a federal grant application to the State Justice Institute in the amount of \$50,000 for development of a two-year strategic plan.
- 6. Department of Education**
Approved, retroactively, the submission of a federal grant application to the U.S. Department of Health and Human Services in the amount of up to \$6,000,000 for the Preschool Development Grant Birth-to-Five.
- 8. Department of Education
Department of Human Services**
Increased the Federal Funds expenditure limitation established for the Department of Education by section 4(1), chapter 590, Oregon Laws 2017, Operations, by \$1,874,873, increased the Federal Funds expenditure limitation established for the Department of

Education by section 5(1), chapter 590, Oregon Laws 2017, Early learning programs, by \$5,442,069, and authorized the establishment of 4 limited duration positions (0.84 FTE); and increased the Other Funds expenditure limitation established for the Department of Human Services by section 2(2), chapter 597, Oregon Laws 2017, Child welfare, self-sufficiency and vocational rehabilitation services, by \$7,122,984; for the expenditure of additional federal Child Care Development Block Grant funding.

9. Oregon Health Authority

Approved the transfer of General Fund appropriations, increased and transferred Other Funds expenditure limitations, increased Federal Funds expenditure limitation, and established and transferred positions, per the attached table, with the understanding that the Department of Administrative Services will unschedule \$11,879,295 General Fund.

10. Oregon Health Authority

Allocated \$260,949 from the Emergency Fund established by section 1, chapter 702, Oregon Laws 2017, to supplement the appropriation made to the Oregon Health Authority by section 1(2), chapter 545, Oregon Laws 2017, Central services, statewide assessments and enterprise-wide costs; increased the Other Funds expenditure limitation established for the Oregon Health Authority by section 2(2), chapter 545, Oregon Laws 2017, Central services, statewide assessments and enterprise-wide costs, by \$32,282; increased the Federal Funds expenditure limitation established for the Oregon Health Authority by section 4(2), chapter 545, Oregon Laws 2017, Central services, statewide assessments and enterprise-wide costs, by \$180,359; and authorized the establishment of 6 permanent positions (1.76 FTE) to support ombuds services for individuals eligible for medical assistance programs.

11. Oregon Health Authority

Allocated \$1,500,000 from the special purpose appropriation made to the Emergency Board by section 130(1), chapter 99, Oregon Laws 2018, to supplement the appropriation made to the Oregon Health Authority by section 1(1), chapter 545, Oregon Laws 2017, Programs, to invest in community programs aimed at reducing the number of Aid and Assist patients sent to the Oregon State Hospital.

12. Oregon Health Authority

Acknowledged receipt of a report on mental health residential rate standardization.

13. Oregon Health Authority

Acknowledged receipt of a report on creating a single plan of shared accountability for behavioral health coordination within each geographic service area.

14. Department of Human Services

Acknowledged receipt of a report on the agency's workforce-related efforts in the child welfare program.

15. Department of Human Services

Acknowledged receipt of a report on efforts to curb costs in the Intellectual and Developmental Disabilities program.

- 16. Department of Human Services**
Acknowledged receipt of a report on the agency’s work to improve position management practices.
- 17. Department of Human Services**
Allocated \$6,343,891 from the special purpose appropriation made to the Emergency Board by section 130(1), chapter 99, Oregon Laws 2018, to supplement appropriations made to the Department of Human Services, approved the transfer of General Fund appropriations, increased and transferred Other Funds expenditure limitations, transferred Federal Funds expenditure limitations, and transferred positions; per the attached table.
- 18. Department of Human Services**
Allocated \$2,500,000 from the special purpose appropriation made to the Emergency Board by section 179(1), chapter 99, Oregon Laws 2018, to supplement the appropriation made to the Department of Human Services by section 1(2), chapter 597, Oregon Laws 2017, Child welfare, self-sufficiency, and vocational rehabilitation, for the child welfare program.
- 19. Department of Human Services**
Allocated \$255,882 from the special purpose appropriation made to the Emergency Board by section 130(1), chapter 99, Oregon Laws 2018, to supplement the appropriation made to the Department of Human Services by section 1(3), chapter 597, Oregon Laws 2017, Aging and people with disabilities and intellectual/developmental disabilities programs; increased the Federal Funds expenditure limitation established for the Department of Human Services by section 3(3), chapter 597, Oregon Laws 2017, Aging and people with disabilities and intellectual/developmental disabilities programs, by \$969,092; and authorized the establishment of 15 permanent positions (3.75 FTE), to comply with a federal directive on nursing facility complaint investigations.
- 20. Department of Human Services**
Increased the Other Funds expenditure limitation established for the Department of Human Services by section 2(3), chapter 597, Oregon Laws 2017, Aging and people with disabilities and intellectual/developmental disabilities programs, by \$246,504, and authorized the establishment of 4 permanent positions (1.00 FTE), to embed dedicated case managers in four hospitals.
- 21. Department of State Police**
Allocated \$6,300,000 from the Emergency Fund established by section 1, chapter 702, Oregon Laws 2017, to supplement the appropriation made to the Department of State Police by section 1(4), chapter 581, Oregon Laws 2017, Administrative services, agency support, criminal justice information services and office of the State Fire Marshal, to support cash flow depleted by extraordinary wildfire fighting costs incurred during the 2017 and 2018 wildfire seasons, with instructions.

- 22. Military Department**
Established a Federal Funds Capital Construction expenditure limitation of \$5,300,000 for the Military Department, Capital Construction program, for the Oregon Youth Challenge Program expansion project.
- 23. Military Department**
Established a Federal Funds Capital Construction expenditure limitation of \$1,300,000 for the Military Department, Capital Construction program, to construct an outdoor combat pistol qualification course at Camp Najaf in Corvallis, Oregon.
- 24. Military Department**
Increased the Federal Funds expenditure limitation established for the Military Department by section 3(1), chapter 566, Oregon Laws 2017, Operations, by \$4,000,000 for the demolition of structures at Camp Umatilla in Umatilla, Oregon.
- 25. Military Department**
Established a Federal Funds Capital Construction expenditure limitation of \$9,000,000 for the Military Department, Capital Construction program, for the Camp Umatilla Regional Training Institute Re-Set Project at Camp Umatilla in Umatilla, Oregon.
- 26. Military Department**
Established an Other Funds Capital Improvement expenditure limitation of \$500,000 for the Military Department, Capital Improvement program, to purchase real property adjoining the Camp Rilea Armed Forces Training Center in Warrenton, Oregon.
- 27. Military Department**
Acknowledged receipt of a report on the agency's assessment of its processes, policies, and practices for internal control over grants management.
- 28. Department of Justice**
Acknowledged receipt of a report on the Legal Tools Replacement project.
- 29. Criminal Justice Commission**
Increased the Other Funds expenditure limitation established for the Criminal Justice Commission by section 2, chapter 505, Oregon Laws 2017, by \$200,498, and authorized the establishment of 2 limited duration positions (0.50 FTE) to spend a grant award on the Statistical Transparency of Policing program.
- 30. Department of Public Safety Standards and Training**
Increased the Other Funds expenditure limitation established for the Department of Public Safety Standards and Training by section 2(1), chapter 583, Oregon Laws 2017, Operations, by \$244,264, for wildland firefighter training expenses incurred during the 2018 fire season.
- 31. Department of Public Safety Standards and Training**
Approved, retroactively, the submission of a federal grant application to the U.S. Department of Homeland Security in the amount of \$498,850 for firefighter training equipment.

- 32. Department of Corrections**
Increased the Federal Funds expenditure limitation established for the Department of Corrections by section 3, chapter 573, Oregon Laws 2017, by \$741,924, for expenditure of a federal Second Chance Act grant on the Parenting Inside Out family visiting program.
- 33. District Attorneys and Their Deputies**
Established a General Fund appropriation for grand jury recordation by allocating \$386,107 from the special purpose appropriation made to the Emergency Board by section 17(1), chapter 650, Oregon Laws 2017, to the Department of Justice for the payment of expenses of District Attorneys and Their Deputies; and directed the Department of Justice to reimburse counties for eligible grand jury recordation expenses, as approved by the Emergency Board.
- 34. Department of Veterans' Affairs**
Increased the Lottery Funds expenditure limitation established for the Department of Veterans' Affairs by section 2(1), chapter 585, Oregon Laws 2017, For services provided by the Department of Veterans' Affairs, by \$201,550, and authorized the establishment of 3 permanent positions (0.75 FTE) to establish the agency as the U.S. Department of Veterans' Affairs State Approving Agency for veterans' education programs; and recommended that the Department's Veterans' Services Program Lottery Funds allocation be increased by \$201,550 during the 2019 legislative session.
- 36. Department of Forestry**
Acknowledged receipt of a report on the 2018 fire season; allocated \$1,886,696 from the special purpose appropriation made to the Emergency Board by section 5(1), chapter 592, Oregon Laws 2017, to supplement the appropriation made to the Department of Forestry by section 1(2), chapter 592, Oregon Laws 2017, Fire protection; allocated \$1,601,221 from the Emergency Fund established by section 1, chapter 702, Oregon Laws 2017, to supplement the appropriation made to the Department of Forestry by section 1(2), chapter 592, Oregon Laws 2017, Fire protection, for interest expenses and district deductibles associated with the 2018 fire season; increased the Other Funds expenditure limitation established for the Department of Forestry by section 2(2), chapter 592, Oregon Laws 2017, Fire protection, by \$1,107,962 for 2018 fire season costs and by \$13,727,764 to support the timely processing of payments related to the 2018 fire season; and recommended an increase of \$31,545,752 General Fund appropriation for large fire costs be included in a budget rebalance bill during the 2019 legislative session.
- 37. Water Resources Department**
Acknowledged receipt of a report on publicly owned high-hazard dams in Oregon that have unsatisfactory or poor condition ratings.
- 38. Water Resources Department**
Approved, retroactively, the submission of a federal grant application to the U.S. Geological Survey for a grant of up to \$150,000 for activities related to the National Groundwater Monitoring Network Data Providers program.

- 39. Department of Geology and Mineral Industries**
Approved, retroactively, the submission of a federal grant application to the U.S. Geological Survey in the amount of \$300,000 for the 2019 State Geological Survey project.
- 40. Department of Aviation**
Approved, retroactively, the submission of a grant application to the Federal Aviation Administration in the amount of \$37,000,000 for a runway extension project at Aurora State Airport, with instructions.
- 41. Department of Transportation**
Approved, retroactively, the submission of a federal grant application to the Federal Transit Administration in the amount of up to \$500,000 for the Innovative Coordinated Access and Mobility Program.
- 42. Department of Transportation**
Approved, retroactively, the submission of a federal grant application to the Federal Highway Administration, Competitive Highway Bridge Program in the amount of \$44,500,000 for replacement and rehabilitation of deficient bridges.
- 43. Department of Consumer and Business Services**
Acknowledged receipt of a report on workers' compensation premium assessment rates.
- 44. Public Utility Commission**
Approved, retroactively, the submission of a federal grant application to the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration in the amount of up to \$58,000 for inspections of underground natural gas storage facilities in Oregon.
- 45. Public Employees Retirement System**
Authorized the transfer of \$424,500 from the Other Funds expenditure limitation established for the Public Employees Retirement System by section 1(4), chapter 600, Oregon Laws 2017, Operations Division, to the Other Funds expenditure limitation established by section 1(2), chapter 600, Oregon Laws 2017, Financial and Administrative Services Division, for the Oregon Savings Growth Plan.
- 46. Public Employees Retirement System**
Increased the Other Funds expenditure limitation established for the Public Employees Retirement System by section 1(5), chapter 600, Oregon Laws 2017, Compliance, Audit and Risk Division, by \$119,542 and authorized the establishment of 2 permanent positions (0.50 FTE) for cybersecurity and business continuity planning; and authorized the transfer of \$500,000 from the Other Funds expenditure limitation established for the Public Employees Retirement System by section 1(3), chapter 600, Oregon Laws 2017, Information Services Division to the Other Funds expenditure limitation established by section 1(5), chapter 600, Oregon Laws 2017, Compliance, Audit and Risk Division, for a disaster recovery program.

- 47. Department of Revenue**
Deferred action on the request to transfer \$262,712 General Fund from the Personal Tax and Compliance appropriation to the Administration appropriation to fund a projected budget shortfall.
- 48. Department of Revenue**
Authorized the transfer of \$687,519 from the General Fund appropriation established for the Department of Revenue by section 1(3), chapter 601, Oregon Laws 2017, Personal Tax and Compliance Division, to the General Fund appropriation established for the Department of Revenue by section 1(2), chapter 601, Oregon Laws 2017, Property Tax Division, for a budget shortfall.
- 49. Department of Administrative Services**
Acknowledged receipt of a report on compensation plan changes.
- 51. Department of Administrative Services**
Increased the Other Funds Capital Construction expenditure limitation established for the Department of Administrative Services by section 1(1)(k), chapter 747, Oregon Laws 2017, State Data Center Power Upgrades, by \$6,782,000 to complete the State Data Center Power Upgrades project.
- 52. Department of Administrative Services**
Increased the Federal Funds expenditure limitation established for the Department of Administrative Services, Office of the State Chief Information Officer–Policy, by the Emergency Board at its September 2018 meeting, by \$599,795 to accommodate grants and contracts for Lidar aerial imagery.
- 53. Department of Geology and Mineral Industries**
Approved, retroactively, the submission of a federal grant application to the U.S. Geological Survey in the amount of \$200,000 for the 3D Elevation Program initiative.
- 54. Legislative Fiscal Office**
Transferred unallocated balances in the amount of \$34,462,012 from special purpose appropriations made to the Emergency Board to the Emergency Fund appropriation legal citation, per the attached table.

**ATTACHMENT
Item 9: Oregon Health Authority**

OREGON HEALTH AUTHORITY 2017-19				
December 2018				
Division/Appropriation Reference	Fund Type	Adjustments to Legislatively Approved Budget	Adjustments to Position Authority	
<u>Transfers, Allocations, and Expenditure Limitation Adjustments:</u>				
Health Care for All Oregon Children				
Ch 652 4, OL 2017	General	(10,259,512)		
Programs				
Ch 545 2(1), OL 2017	Other	895,921,748		
Ch 545 4(1), OL 2017	Federal	430,552,061		
	Total	895,921,748		11 pos / 3.34 FTE
Central Services, Statewide Assessments & Enterprise-wide Costs				
Ch 545 1(2), OL 2017	General	10,259,512		
Ch 545 2(2), OL 2017	Other	(3,903,290)		
Ch 545 4(2), OL 2017	Federal	1,096,027		
	Total	7,452,249		
Public Employees' Benefit Board				
Ch 545 6, OL 2017	Other	80,000,000		
Oregon Educators Benefit Board				
Ch 545 7, OL 2017	Other	81,000,000		
Agency Total				
	General	-		
	Other	1,053,018,458		
	Federal	431,648,088		
	Total	1,484,666,546		11 pos / 3.34 FTE
<u>Request Department of Administrative Services to unschedule:</u>				
Health Care for All Oregon Children				
Ch 652 4, OL 2017	General	7,004,243		
Programs				
Ch 545 1(1), OL 2017	General	4,875,052		

**ATTACHMENT
Item 17: Department of Human Services**

DEPARTMENT OF HUMAN SERVICES 2017-19			
December 2018			
Division/Appropriation Reference	Fund Type	Adjustments to Legislatively Approved Budget	Adjustments to Position Authority
Transfers, Allocations, and Expenditure Limitation Adjustments:			
Child welfare, self-sufficiency, and vocational rehabilitation services			
Ch 597 1(2), OL 2017	General	22,030,592	
Ch 597 2(2), OL 2017	Other	(577,409)	
Ch 597 3(2), OL 2017	Federal	6,505,565	
	Total	27,958,748	(12) pos / (12.00) FTE
Aging and people with disabilities and intellectual/developmental disabilities programs			
Ch 597 1(3), OL 2017	General	(13,946,216)	
Ch 597 2(3), OL 2017	Other	3,549,816	
Ch 597 3(3), OL 2017	Federal	13,862,387	
	Total	3,465,987	7 pos / 7.00 FTE
Central Services, state assessments, and enterprise-wide costs			
Ch 597 1(1), OL 2017	General	(1,740,485)	
Ch 597 2(1), OL 2017	Other	2,296,942	
Ch 597 3(1), OL 2017	Federal	(20,367,952)	
	Total	(19,811,495)	8 pos / 8.00 FTE
Shared services			
Ch 597 2(4), OL 2017	Other	(222,785)	(3) pos / (3.00) FTE
Department Total			
	General	6,343,891	
	Other	5,046,564	
	Federal	-	
	Total	11,390,455	0 pos / 0.00 FTE

Special Purpose Appropriation Transfer Detail

Oregon Laws 2017 & 2018 Chapter/Section	Agency/Purpose	Amount
Chapter 592, sec. 5(1), 2017	Department of Forestry for fire severity suppression costs	(2,113,304)
Chapter 650, sec. 17(1), 2017	State agencies for Grand Jury recording costs	(7,513,893)
Chapter 99, sec. 127(1), 2018	Oregon Health Authority for Mental Health residential rates	(2,000,000)
Chapter 99, sec. 130(1), 2018	Oregon Health Authority/Department of Human Services for Caseload and Cost Per Case Issues	(21,900,227)
Chapter 99, sec. 156(1), 2018	Secretary of State for January 2018 Special Election County costs	(284,588)
Chapter 99, sec. 169(1), 2018	Department of Revenue for position reconciliation	(650,000)
Total transfers from special purpose appropriations		(34,462,012)
Chapter 702, sec. 1, 2017	Emergency Board -- General Purpose	34,462,012
Net General Fund Change		0