



Summary of Emergency Board Action

December 2018

The Legislative Emergency Board met on December 14, 2018 and considered an agenda of 51 items. The Emergency Board approved four allocations from the Emergency Fund and six allocations from special purpose appropriations made to the Emergency Board. A request by the Legislative Fiscal Office to transfer unused special purpose appropriations from the Emergency Board to the Emergency Fund was also approved. A total of \$8.2 million was allocated from the Emergency Fund and \$12.9 million was allocated from special purpose appropriations. The transfer of unused special purpose appropriations totaled \$34.5 million. Additional details on these actions are described below. After the Emergency Board actions, the total balance in the Emergency Fund is \$57.3 million and will be available to the Legislature during the 2019 session. Any amount remaining in the Emergency Fund at the end of the current biennium will revert to the General Fund ending balance.

The agenda included 22 items that received additional 2017-19 biennium authority to spend (or transfer) Lottery Funds, Other Funds, and Federal Funds. The Emergency Board approved expenditure limitation increases of approximately \$200,000 Lottery Funds, \$1.09 billion Other Funds, and \$461.1 million Federal Funds. The Emergency Board also authorized the establishment of 47 positions (12.44 FTE).

The agenda included 15 agency reports, which the Emergency Board acknowledged receiving. The Emergency Board heard ten requests for the submission of federal grant applications, eight of which were on a single consent agenda item.

The following is a summary of significant Emergency Board actions taken at the December 2018 meeting. Detailed information is available at <https://olis.leg.state.or.us/liz/201711/Committees/EB/2018-12-14-08-30/Agenda>

Education

- Increased the Federal Funds expenditure limitation for the Department of Education by \$7,316,943 and authorized the establishment of 4 limited duration positions (0.84 FTE) for the expenditure of additional Child Care Development Block Grant funding (and increased the Other Funds expenditure limitation for the Department of Human Services; see Human Services).

Human Services

- Increased the Other Funds expenditure limitation for the Department of Human Services by \$7,122,984 as part of the action on the additional Child Care Development Block Grant funding received by the Department of Education.
- Increased the Other Funds expenditure limitation

for the Oregon Health Authority by \$1,053,018,458, increased the Federal Funds expenditure limitation by \$431,648,088, approved transfers between appropriations and expenditure limitations, and authorized the establishment of 11 positions (3.34 FTE), to rebalance the agency's 2017-19 budget, with the understanding that the Department of Administrative Services will unschedule \$11,879,295 General Fund.

- Allocated \$260,949 from the Emergency Fund to the Oregon Health Authority, increased the Other Funds expenditure limitation by \$32,282, increased the Federal Funds expenditure limitation by \$180,359, and authorized the establishment of 6 positions (1.76 FTE) to support ombuds services for individuals eligible for

medical assistance programs for the remainder of the 2017-19 biennium.

- Allocated \$1,500,000 from the special purpose appropriation made to the Emergency Board for human services program budget challenges to the Oregon Health Authority to invest in community programs aimed at reducing the number of Aid and Assist patients sent to the Oregon State Hospital.
- Acknowledged receipt of reports by the Oregon Health Authority on mental health residential rates and on creating a single plan of shared accountability for behavioral health coordination within each geographic area.
- Acknowledged receipt of reports by the Department of Human Services on the agency's workforce-related efforts in the child welfare program, on efforts to curb costs and manage the Intellectual and Development Disabilities' budget, and on agency efforts to improve position management practices.
- Allocated \$2,500,000 from the special purpose appropriation made to the Emergency Board to the Department of Human Services for the agency's child welfare program.
- Allocated \$6,343,891 from the special purpose appropriation made to the Emergency Board for human services program budget challenges to the Department of Human Services, increased the Other Funds expenditure limitation by \$5,0465,564, and approved transfers between appropriations and expenditure limitations to rebalance the agency's 2017-19 budget.
- Allocated \$255,882 from the special purpose appropriation made to the Emergency Board for human services program budget challenges to the Department of Human Services, increased the Federal Funds expenditure limitation by \$969,092, and authorized the establishment of 15 positions (3.75 FTE) to comply with a federal mandate on nursing facility complaint investigations.
- Increased the Other Funds expenditure limitation for the Department of Human Services by \$246,504 and authorized the establishment of 4 positions (1.00 FTE) to embed case managers in four hospitals.

Public Safety and Judicial Branch

- Allocated \$6,300,000 from the Emergency Fund to the Department of State Police, State Fire Marshal, to manage cash flow due to

extraordinary costs incurred responding to wildfires in the 2017-19 biennium.

- Established a Federal Funds capital construction expenditure limitation of \$5,300,000 for the Military Department for the Oregon Youth Challenge program expansion project.
- Established a Federal Funds capital construction expenditure limitation of \$1,300,000 for the Military Department to construct a pistol qualification range at Camp Najaf.
- Increased the Federal Funds expenditure limitation for the Military Department by \$4,000,000 for demolition projects at Camp Umatilla.
- Established a Federal Funds capital construction expenditure limitation of \$9,000,000 for the Military Department for the Camp Umatilla Regional Training Institute re-set project.
- Established an Other Funds capital improvement expenditure limitation of \$500,000 for the Military Department to purchase real property adjacent to the Camp Rilea Armed Forces Training Center in Warrenton.
- Acknowledged receipt of a report by the Military Department's Office of Emergency Management on its analysis of internal controls on federal grant management.
- Acknowledged receipt of a report by the Department of Justice on its Legal Tools Replacement Project.
- Increased the Other Funds expenditure limitation for the Criminal Justice Commission by \$200,948 and authorized the establishment of 2 positions (0.50 FTE) to spend a grant award on the Statistical Transparency of Policing program.
- Increased the Other Funds expenditure limitation for the Department of Public Safety Standards and Training by \$244,264 for wildland firefighter training expenses.
- Increased the Federal Funds expenditure limitation for the Department of Corrections by \$741,924 to spend a grant award for the Second Chance Act program.
- Allocated \$66,000 from the Emergency Fund to the Public Defense Services Commission to address workload needs in the Contract and Business Services Division for the remainder of the 2017-19 biennium.
- Allocated \$386,107 from the special purpose appropriation made to the Emergency Board for costs related to grand jury recordation to the District Attorneys and Their Deputies for

reimbursement of costs for the three counties initially implementing grand jury recordation.

- Acknowledged receipt of reports by the Public Defense Services Commission and the Judicial Department on the implementation of SB 505 (2017) related to grand jury recordation.
- Acknowledged receipt of a report by the Public Defense Services Commission on the status of the Professional Services Account.

Natural Resources

- Allocated \$1,886,696 from the special purpose appropriation made to the Emergency Board for fire severity resources to the Department of Forestry, allocated \$1,601,221 from the Emergency Fund for interest expense and district deductibles for the 2018 fire season, increased the Other Funds expenditure limitation for the Department of Forestry by \$14,835,726 for 2018 fire season costs and timely processing of payments related to the fire season, and recommended that an appropriation of \$31,545,752 General Fund be made to the Department of Forestry in an early 2019 session rebalance bill to cover the remaining portion of the state's large-fire costs related to the 2018 fire season.
- Acknowledged receipt of a report by the Water Resources Department on publicly owned high-hazard dams in Oregon that have unsatisfactory or poor condition ratings.

Economic and Community Development

- Increased the Lottery Funds expenditure limitation for the Department of Veterans' Affairs by \$201,550 and authorized the establishment of 3 positions (0.75 FTE) to establish the agency as the U.S. Department of Veterans' Affairs State Approving Agency for veterans' education programs after the federal government found the Higher Education Coordinating Commission not qualified to continue serving that role beginning on October 1, 2019.

Transportation

- Approved, retroactively, the submission of a federal grant application by the Department of Aviation to the Federal Aviation Administration in the amount of \$37,000,000 for a runway extension project at the Aurora State Airport, with instructions to the agency on actions to take if the grant is awarded.

Consumer and Business Services

- Acknowledged receipt of a report by the Department of Consumer and Business Services on workers' compensation premium assessment rates.

Administration

- Transferred \$424,500 Other Funds expenditure limitation between divisions of the Public Employees Retirement System for administration of the Oregon Savings Growth Plan.
- Increased the Other Funds expenditure limitation for the Public Employees Retirement System by \$119,542, authorized the establishment of 2 positions (0.50 FTE), and transferred \$500,000 Other Funds expenditure limitation between divisions to facilitate completion of work on the agency's cybersecurity, business continuity, and disaster recovery programs.
- Deferred a request by the Department of Revenue to transfer \$262,712 General Fund between divisions to accommodate a projected budget shortfall in the Administration Division.
- Transferred \$687,519 General Fund between divisions of the Department of Revenue to accommodate a projected budget shortfall in the Property Tax Division.
- Acknowledged receipt of a report by the Department of Administrative Services on compensation plan changes.
- Increased the Other Funds capital construction expenditure limitation for the Department of Administrative Services by \$6,782,000 for the State Data Center upgrades project.
- Increased the Federal Funds expenditure limitation for the Department of Administrative Services by \$599,795 to complete two Lidar projects through the Oregon Lidar Consortium.

Legislative Branch

- Transferred specified unallocated balances from special purpose appropriations totaling \$34,462,012 to the Emergency Fund legal citation to facilitate access to these resources during the 2019 legislative session; after this action there is a total of \$57,255,961 available in the Emergency Fund for use in the 2019 session or for reversion to the General Fund 2019-21 biennium ending balance if not used.

Emergency Fund Balance Summary			Agency Requests	Emergency Board Action
General Purpose Emergency Fund				
	Appropriation (after 2018 Session adjustments)		50,000,000	50,000,000
	Allocations to date		(18,977,881)	(18,977,881)
	Unallocated Balance		31,022,119	31,022,119
	Reservations (within General Purpose)		1,000,000	1,000,000
	Reservations allocated to date		(1,000,000)	(1,000,000)
	Unallocated Reservations		0	0
#	December 2018 Requests - General Purpose			
1	Public Defense Services Commission - Workflow Needs		(66,000)	(66,000)
10	Oregon Health Authority - Ombudspersons Services for Medical Assistance Program		(430,776)	(260,949)
11	Oregon Health Authority - Open New 25-Bed Unit at Oregon State Hospital Junction City Campus		(2,714,077)	(see SPA below)
19	Department of Human Services - Compliance with Centers for Medicare and Medicaid Services Directive		(255,882)	(see SPA below)
21	Oregon State Police - 2017-19 Fire Season Extraordinary Costs		(6,300,000)	(6,300,000)
34	Oregon Department of Veterans' Affairs - Certification as State Approving Agency for Federal Veterans' Education		(201,550)	(approved LF)
36	Department of Forestry - 2018 Fire Season Costs and Treasury Interest Costs for Cashflow Loan (and SPA below)		(33,146,973)	(1,601,221)
54	Legislative Fiscal Office - Transfer of Unused Special Purpose Appropriations to Emergency Fund		34,462,012	34,462,012
	Total Requests - General Purpose		(8,653,246)	26,233,842
	General Purpose Unallocated/Unreserved Balance after 12/2018 (if requests approved)		22,368,873	57,255,961
	Special Purpose Appropriations - Agency Specific (after 2018 Session actions)		49,006,115	49,006,115
	Allocations/Transfers to Date		(1,671,527)	(1,671,527)
	Unallocated Balance		47,334,588	47,334,588
#	December 2018 Requests - Special Purpose Appropriations - Agency Specific			
11	Oregon Health Authority - Open New 25-Bed Unit at Oregon State Hospital Junction City Campus		0	(1,500,000)
17	Department of Human Services - Rebalance for Child Welfare, Self Sufficiency, and Vocational Rehabilitation		(7,343,891)	(6,343,891)
18	Department of Human Services - Child Welfare Issues		(2,500,000)	(2,500,000)
19	Department of Human Services - Compliance with Centers for Medicare and Medicaid Services Directive		0	(255,882)
33	District Attorney's and Their Deputies - Grand Jury Recordation Costs		(882,932)	(386,107)
36	Department of Forestry - 2018 Fire Severity Costs (and Emergency Fund above)		(1,886,696)	(1,886,696)
54	Legislative Fiscal Office - Transfer of Unused Special Purpose Appropriations to Emergency Fund		(34,462,012)	(34,462,012)
	Total Requests - Special Purpose - Agency Specific		(47,075,531)	(47,334,588)
	Special Purpose - Agency Specific - Unallocated Balance after 12/2018 (if requests approved)		259,057	0