



Summary of Emergency Board Action December 2022

The Legislative Emergency Board met on December 9, 2022 and considered an agenda of 42 items. The Emergency Board approved four allocations from the Emergency Fund and four allocations from special purpose appropriations made to the Emergency Board. A total of \$28.3 million was allocated from the Emergency Fund and \$21.1 million was allocated from special purpose appropriations. In addition, a request by the Legislative Fiscal Office to transfer all unused special purpose appropriation balances totaling \$67.9 million to the Emergency Fund was also approved. After these actions, the balance in the general purpose Emergency Fund is now \$77.1 million, which will be available to the Legislature during the 2023 session.

The agenda included 14 items that requested additional 2021-23 biennium authority to spend Other Funds and Federal Funds. The Emergency Board approved expenditure limitation increases of approximately \$36 million Other Funds and \$19.9 million Federal Funds.

The Emergency Board also authorized the establishment of 84 positions (21.17 FTE). The agenda included nine agency reports, which the Emergency Board acknowledged receiving, four of which were on a single consent agenda item. The Emergency Board heard 15 requests for the submission of federal grant applications, nine of which were approved on consent.

The following is a summary of significant Emergency Board actions taken at the December 2022 meeting, with a record of all actions available in the December 9, 2022 Emergency Board Certificate.

Education

- Allocated \$975,000 from the Emergency Fund to the Higher Education Coordinating Commission for Klamath Community College to purchase a water well drilling rig and develop a well drilling curriculum.
- Allocated \$800,000 from the Emergency Fund to the Higher Education Coordinating Commission for additional assistance for students eligible for the Oregon National Guard State Tuition Assistance Program.
- Increased the Other Funds expenditure limitation for the Teacher Standards and Practices Commission by \$269,072 and authorized the establishment of one limited duration position (0.25 FTE) to develop standards-based leadership practices and a statewide framework for school principal preparation.

Human Services

- Acknowledged receipt of reports from the Department of Human Services and Oregon Health Authority on the agencies' financial status; after further review, the Legislative Fiscal Office will develop recommendations for budgetary changes to be included in a budget reconciliation bill during the 2023 legislative session.
- Increased the Federal Funds expenditure limitation for the Department of Human Services by \$12,122,000 to extend a one-time 5% COVID-19 rate increase until June 30, 2023 for providers serving individuals with intellectual and developmental disabilities.
- Increased the Other Funds expenditure limitation for the Department of Human Services by \$9,000,000 and authorized the establishment of one limited duration position (0.42 FTE) to expand

services for homeless youth with available funding transferred from the Housing and Community Services Department.

- Allocated \$1,498,030 from the special purpose appropriation made to the Emergency Board for health and human services caseload costs or other budget challenges to the Oregon Health Authority and authorized the establishment of 21 permanent positions (5.25 FTE) to provide treatment and care for a patient with complex behavioral health needs at the Oregon State Hospital.
- Allocated \$4,857,521 from the special purpose appropriation made to the Emergency Board for health and human services caseload costs or other budget challenges to the Oregon Health Authority and authorized the establishment of 59 permanent positions (14.75 FTE) to respond to a federal court ruling that establishes limits on the time patients on Aid and Assist court orders can be held at the Oregon State Hospital.

Public Safety

- Established Federal Funds Capital Construction expenditure limitations totaling \$4,400,000 in the Oregon Military Department for the Corvallis Armory Service Life Extension project and Corvallis Armory Parking Lot improvements; and increased the Department's Federal Funds Capital Construction expenditure limitation by \$404,000 for the Rees Training Center Modified Record Fire Range.
- Increased the Federal Funds and Other Funds expenditure limitations for the Department of State Police by \$650,000 and \$116,305, respectively, to upgrade ballistic helmets and protective respirator masks and provide voluntary cardiac health assessment screenings for troopers.
- Allocated \$16,571,294 from the Emergency Fund to the Department of State Police, Office of the State Fire Marshal, for costs incurred during the 2021 and 2022 fire seasons.
- Increased the Other Funds expenditure limitation for the Department of Public Safety Standards and Training by \$1,280,000 to add two additional Basic Police courses to the 2021-23 training calendar.

Judicial Branch

- Acknowledged receipt of reports from the Public Defense Services Commission on the agency's

reorganization and financial status; and approved the agency's revised rebalance plan.

- Allocated \$10,000,000 from the Emergency Fund to the Public Defense Services Commission for the unrepresented defendant/persons crisis, with instructions for the agency to report its plan for resolving the crisis to legislative leadership prior to spending the funds, as well as submit a report on the crisis to the Joint Committee on Ways and Means no later than January 31, 2023.

Natural Resources

- Approved the submission of a federal grant application from the Department of Fish and Wildlife to the U.S. Department of Transportation, in the amount of \$51,757,285, for culvert projects to improve fish passage.
- Acknowledged receipt of a report from the Department of Forestry on the 2022 fire season; and allocated a combined \$14,776,776 from special purpose appropriations made to the Emergency Board for fire protection and natural disasters, and increased Other Funds expenditure limitation by \$24,999,724, for costs associated with the 2022 fire season.
- Approved, retroactively, the submission of federal grant applications from the Department of Forestry to the U.S. Forest Service, including 17,362,678 for Community Wildfire Protection Plan activities and \$6,000,000 to assist at-risk local communities to cover expenses related to natural disasters from 2019 through 2021.
- Approved, retroactively, the submission of a federal grant application from the Department of Energy to the U.S. Department of Energy, in the amount of \$5,464,180, for State Energy Program funds made available through the Infrastructure Investment and Jobs Act.
- Approved, retroactively, the submission of a federal grant application from the Department of State Lands to the National Oceanic and Atmospheric Administration, in the amount of \$450,000, and authorized the establishment of one limited duration position (0.25 FTE), for the agency to develop projects that conserve or restore coastal natural habitats and build coastal resiliency.
- Increased the Federal Funds expenditure limitation for the Department of State Lands by \$100,000, and approved, retroactively, the submission of a federal grant application from the agency to the National Oceanic and Atmospheric

Administration, in the amount of \$300,000, for South Slough capacity building activities.

Transportation

- Approved, retroactively, the submission of a federal grant application from the Department of Transportation to the Federal Highway Administration, in the amount of \$46,630,800, to complete the final portion of the Historic Columbia River Highway State Trail between the Mitchell Point Tunnel and the Ruthton Trailhead.

Administration

- Increased the Other Funds expenditure limitation for the State Library by \$335,000 to accommodate increased information technology access and rent costs.

Legislative Branch

- Transferred specified unallocated balances totaling \$67,856,869 from special purpose appropriations made to the Emergency Board to the general Emergency Fund appropriation; after this action, \$77,137,124 is available in the Emergency Fund for use in the 2023 session or reversion to the 2021-23 General Fund ending balance if not used.

Emergency Fund Balance Summary	
General Purpose Emergency Fund	
Emergency Fund (after 2022 session)	50,000,000
June 2022 Allocations	(8,501,802)
September 2022 Allocations	(3,871,649)
Emergency Fund Balance	37,626,549
December 2022 General Purpose Allocations	
3 Public Services Defense Commission - Unrepresented Defendants-Persons Crisis	(10,000,000)
4 Higher Education Coordinating Commission - Klamath Community College Well Drilling Curriculum	(975,000)
5 Higher Education Coordinating Commission - Oregon National Guard State Tuition Assistance	(800,000)
22 Department of State Police - Fire Season Costs	(16,571,294)
Total December 2022 General Purpose Allocations	(28,346,294)
49 Legislative Fiscal Office - Transfer Unallocated Special Purpose Appropriations	67,856,869
General Purpose Emergency Fund Balance (after December 2022 Emergency Board actions)	77,137,124

Emergency Fund Balance Summary

Special Purpose Appropriations (SPAs)

Department of Forestry - Large Fire Cash Flow Needs (after 2022 session)	50,000,000	
June 2022 Allocations	(50,000,000)	
Department of Forestry - Large Fire Cash Flow Needs		0
Department of Forestry - Fire Protection Expenses (after 2022 session)	7,853,733	
38 Department of Forestry - 2022 Fire Season	(5,988,093)	
Department of Forestry - Fire Protection Expenses		1,865,640
Department of Justice - Child Enforcement Automated System (after 2022 session)	5,125,000	
September 2022 Allocations	(883,366)	
Department of Justice - Child Enforcement Automated System		4,241,634
Higher Education Coordinating Commission - Oregon Tribal Student Grant Program (after 2022 session)	19,000,000	
June 2022 Allocations	(19,000,000)	
Higher Education Coordinating Commission - Oregon Tribal Student Grant Program		0
Housing and Community Services Department - Co-located Housing and Child Care (after 2022 session)	10,000,000	
June and September 2022 Allocations	(10,000,000)	
Housing and Community Services Department - Co-located Housing and Child Care		0
Oregon Health Authority - Essential Workforce Health Care Program (after 2022 session)	30,000,000	
June 2022 Allocations	(30,000,000)	
Oregon Health Authority - Essential Workforce Health Care Program		0
Oregon Health Authority - Behavioral Health Rates (after 2022 session)	42,500,000	
June 2022 Allocations	(42,500,000)	
Oregon Health Authority - Behavioral Health Rates		0
Oregon Health Authority - Oregon State Hospital Staffing Levels (after 2022 session)	9,189,057	
<i>No June, September, or December 2022 Allocations</i>	0	
Oregon Health Authority - Oregon State Hospital Staffing Levels		9,189,057
Oregon Health Authority and Department of Human Services - Caseloads and Other Issues (after 2022 session)	100,000,000	
September 2022 Allocations	(52,103,502)	
12 Oregon Health Authority - OSH Complex Patient Care	(1,498,030)	
13 Oregon Health Authority - OSH Federal Ruling on Admissions	(4,857,521)	
Oregon Health Authority and Department of Human Services - Caseloads and Other Issues		41,540,947
Public Defense Services Commission - General Fund Holdback (after 2022 session)	100,000,000	
June 2022 Allocations	(100,000,000)	
Public Defense Services Commission - General Fund Holdback		0
Various Department of Early Learning and Care (after 2022 session)	1,901,447	
<i>No June, September, or December 2022 Allocations</i>	0	
Various - Department of Early Learning and Care		1,901,447
Various - Family Treatment Court Program (after 2022 session)	7,934,570	
September 2022 Allocations	(1,110,502)	
<i>No December 2022 Allocations</i>	0	
Various - Family Treatment Court Program		6,824,068
Various - Financial Assistance to Employers to Mitigate HB 4002 (after 2022 session)	10,000,000	
September 2022 Allocations	(10,000,000)	
Various - Financial Assistance to Employers to Mitigate HB 4002		0
Various - State Response to Natural Disasters (after 2022 session)	26,275,000	
June and September 2022 Allocations	(15,192,241)	
38 Department of Forestry - 2022 Fire Season	(8,788,683)	
Various - State Response to Natural Disasters		2,294,076
49 Legislative Fiscal Office - Transfer Unallocated Special Purpose Appropriations		(67,856,869)
Special Purpose Appropriation Balance (after December 2022 Emergency Board actions)		0