

**DATE:** August 14, 2013

**TO:** State Agency Directors

**FROM:** Ken Rocco, Legislative Fiscal Officer  
Legislative Fiscal Office

George Naughton, Chief Financial Officer  
Chief Financial Office, Department of Administrative Services

**SUBJECT:** 2013-15 Emergency Board and Interim Joint Committee on Ways and Means  
(Members, Schedule, Request Process, and Guidelines)

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*Please provide this information to your management team. Ask them to consider every potential request very carefully to make sure the request is necessary and to work closely with their assigned Chief Financial Office (CFO) and Legislative Fiscal Office (LFO) analysts to assure criteria and process timelines are met.*

*Similar to last biennium, no Emergency Board meetings are currently anticipated until after the February 2014 session, but the interim Joint Committee on Ways and Means will be meeting to review budget issues that will be addressed during the February session.*

Current membership lists of the 2013-15 Emergency Board and the 2013-15 interim Joint Committee on Ways and Means are attached.

Subcommittee assignments have not been established at this time for the Emergency Board. The subcommittee assignments for the interim Joint Committee on Ways and Means are also attached. It is assumed that the subcommittees will meet once on either Day 1 or Day 2 of the scheduled Legislative Days, with the full interim committee meeting on Day 3. In addition, legislative leadership has appointed members to the interim Joint Legislative Audits, Information Management, and Technology Committee (JLAIMTC). Please work with your LFO and CFO analysts to determine what items will be brought before JLAIMTC.

As in the past, the Governor will determine which agency requests will be forwarded to the Emergency Board or interim Joint Committee on Ways and Means. Upon approval by the Governor, the Department of Administrative Services will submit requests to the Legislative Fiscal Office (LFO) for consideration by the Emergency Board or interim Joint Committee on Ways and Means. The final agenda for each meeting will be determined by the Co-Chairs of the respective Board or Committee.

In addition to requests initiated by agencies, the Co-Chairs of the Emergency Board or interim Joint Committee on Ways and Means may request reports from various agencies for their planned meetings. The Committee is also authorized, due to a statutory change in the 2007 session, to review and approve federal grant application requests.

If a special request is made by the Emergency Board or the interim Joint Committee on Ways and Means which does not allow for meeting the submission deadlines outlined on the attached calendars, information must still be provided to your LFO and CFO analysts as early as possible prior to the scheduled Committee meeting.

- Emergency Board and interim Joint Committee on Ways and Means request criteria can be found in Attachment A. Please review this information closely and ensure that your request meets the criteria.
- Attachment B outlines the process requirements and important tips to remember when submitting requests to the Emergency Board and/or the interim Joint Committee on Ways and Means during the 2013-15 interim. ***There will be few exceptions to the process and deadlines.*** It is important that each agency implement internal processes to ensure that the required number of copies in the proper format are received by CFO before the submission deadline. This information should be shared with all staff responsible for request preparation.

**Note** that a Notice of Intent to Submit an Emergency Board or interim Joint Committee on Ways and Means request is due one week before the date that formal letters are due.

- Attachments C-1, C-2, and C-3 provide calendars for the currently scheduled meetings of the interim Joint Committee on Ways and Means. Calendars for additional meetings of both the Emergency Board and interim Joint Committee on Ways and Means will be provided as soon as legislative leadership approves the schedule. At this time, interim meetings of the interim Joint Committee on Ways and Means are possible during the announced Legislative Days for September 16<sup>th</sup> through the 18<sup>th</sup>, November 20<sup>th</sup> through the 22<sup>nd</sup>, and January 15<sup>th</sup> through the 17<sup>th</sup> (2014). The Emergency Board is tentatively scheduled to meet in May, September, and December of 2014, but no specific dates have been set. It is also possible that the interim Joint Committee on Ways and Means will meet during 2014. Notification will be provided once a final decision is made. A January 2014 meeting of the Emergency Board is not currently planned, and will only be held if needed. Once the schedule is approved, calendars identifying the dates that requests must be received by CFO and LFO to be presented to each specific meeting will be provided.
- The format for Emergency Board and interim Joint Committee on Ways and Means requests can be found in Attachments D-1 and D-2.
- Additional direction will be provided to SABR Coordinators for requests that affect positions and/or FTE and allocation or limitation increases.

c: SABR Coordinators  
CFO Analysts  
LFO Analysts

# 2013-15 Interim Committee Membership

August 2013

## Emergency Board

Sen. Peter Courtney, Co-Chair	Rep. Tina Kotek, Co-Chair
Sen. Alan Bates	Rep. Vicki Berger
Sen. Richard Devlin	Rep. Peter Buckley
Sen. Chris Edwards	Rep. Bob Jenson
Sen. Fred Girod	Rep. Betty Komp
Sen. Betsy Johnson	Rep. Mike McLane
Sen. Rod Monroe	Rep. Nancy Nathanson
Sen. Chuck Thomsen	Rep. Tobias Read
Sen. Doug Whitsett	Rep. Dennis Richardson
Sen. Jackie Winters	Rep. Jennifer Williamson

## Interim Joint Committee on Ways and Means (IJCWM)

Sen. Richard Devlin, Co-Chair	Rep. Peter Buckley, Co-Chair
Sen. Betsy Johnson, Co-Vice Chair	Rep. Nancy Nathanson, Co-Vice Chair
Sen. Alan Bates	Rep. Dennis Richardson, Co-Vice Chair
Sen. Chris Edwards	Rep. Jeff Barker
Sen. Fred Girod	Rep. Lew Frederick
Sen. Bill Hansell	Rep. Tim Freeman
Sen. Elizabeth Steiner Hayward	Rep. Bruce Hanna
Sen. Rod Monroe	Rep. John Huffman
Sen. Chuck Thomsen	Rep. Bob Jenson
Sen. Doug Whitsett	Rep. Betty Komp
Sen. Jackie Winters	Rep. Mike McLane
	Rep. Tobias Read
	Rep. Greg Smith
	Rep. Carolyn Tomei
	Rep. Jennifer Williamson

### **IJCWM – Education Subcommittee**

Sen. Rod Monroe, Co-Chair	Rep. Betty Komp, Co-Chair
Sen. Chris Edwards	Rep. Lew Frederick
Sen. Fred Girod	Rep. Sherrie Sprenger

### **IJCWM – General Government Subcommittee**

Sen. Elizabeth Steiner Hayward, Co-Chair	Rep. Greg Smith, Co-Chair
Sen. Betsy Johnson	Rep. David Gomberg
Sen. Doug Whitsett	Rep. Nancy Nathanson

### **IJCWM – Human Services Subcommittee**

Sen. Alan Bates, Co-Chair	Rep. Nancy Nathanson, Co-Chair
Sen. Elizabeth Steiner Hayward	Rep. Tim Freeman
Sen. Jackie Winters	Rep. Joe Gallegos

### **IJCWM – Natural Resources Subcommittee**

Sen. Chris Edwards, Co-Chair	Rep. Ben Unger, Co-Chair
Sen. Jackie Dingfelder	Rep. Jules Bailey
Sen. Chuck Thomsen	Rep. Bruce Hanna

### **IJCWM – Public Safety Subcommittee**

Sen. Jackie Winters, Co-Chair	Rep. Jennifer Williamson, Co-Chair
Sen. Richard Devlin	Rep. Jeff Barker
Sen. Doug Whitsett	Rep. Bruce Hanna

### **IJCWM – Transportation/Economic Development Subcommittee**

Sen. Betsy Johnson, Co-Chair	Rep. Bob Jenson, Co-Chair
Sen. Chip Shields	Rep. Caddy McKeown
Sen. Bill Hansell	Rep. Tobias Read

### **IJCWM – Capital Construction Subcommittee**

Sen. Fred Girod, Co-Chair	Rep. Tina Kotek, Co-Chair
Sen. Peter Courtney	Rep. Val Hoyle
Sen. Richard Devlin	Rep. John Huffman
	Rep. Nancy Nathanson
	Rep. Greg Smith

## Emergency Board Request Criteria

1. Items needing legislative approval that should not wait until the 2015 session to achieve savings in agency budgets.
2. Items needing action to continue or eliminate an approved program (e.g., funds to maintain required caseload and/or workload levels, authority to end a program).
3. Items specifically deferred to the Emergency Board by the Legislature and newly legislated assignments where fiscal impact was shown or the impact is greater than projected and provided for under legislation.
4. Statutory items requiring review and/or approval by the Emergency Board (e.g., Dept. of Human Services budget rebalancing actions, limitation for fee increases, or fund shifts) and other reports required by the Legislature.
5. Certain items needing approval to proceed (e.g., major construction projects, repair projects addressing health and safety issues, grant applications). **All requests for federal grant application approval are to be submitted before the grant application is made. Retroactive approval requests will be accepted only if federal timelines precluded timely advance approval. Procedures are identified in Attachment B.**
6. Current or impending shortfalls in agency budgets requiring additional expenditure limitation or Emergency Fund allocations due to circumstances beyond an agency's control. Otherwise, the expectation is to manage within the agency's legislatively adopted budget.
7. Requests to expend Federal Funds, including federal grants.
8. Requests that respond to new federal mandates.
9. Reports or action needed to satisfy a budget note.

## Interim Joint Committee on Ways and Means Request Criteria

The interim Joint Committee on Ways and Means will consider the following items requested by state agencies:

1. Certain items needing approval to proceed (e.g., major construction projects, repair projects addressing health and safety issues, grant applications, information management and technology projects). **All requests for federal grant application approval are to be submitted before the grant application is made. Retroactive approval requests will be accepted only if federal timelines precluded timely advance approval. Procedures are identified in Attachment B.**
2. Reports or actions needed to satisfy a budget note or other legislative direction.
3. Items specifically deferred from the 2013 regular session that require financial review in anticipation of being considered for the February 2014 session.

4. Current or impending shortfalls in agency budgets requiring additional expenditure limitation or Emergency Fund allocations due to circumstances beyond an agency's control. These items will be reviewed in anticipation of action that may occur during the February 2014 session.

In addition to agency requested items, the Co-Chairs of the interim Joint Committee on Ways and Means may request other specific report items to be included on the agenda. CFO and LFO analysts will alert agencies on all Co-Chair requested agenda items.

## Process Requirements/Request Submission Detail

### General Information

Requests and reports to the Emergency Board and interim Joint Committee on Ways and Means must be submitted to the Department of Administrative Services Chief Financial Office (CFO). In addition, requests for additional appropriation or expenditure limitation that will be brought to the interim Joint Committee on Ways and Means (Committee) for the February 2014 session also need to be submitted to CFO. CFO is located on the fifth floor of the Executive Building at 155 Cottage Street N.E. U10, Salem, OR 97301-3965.

“Placeholders,” replacement letters, late submittals, and day-of-the-meeting handouts are strongly discouraged. We understand timelines are short, but it is critical that the Governor and members of the Legislature receive timely, accurate, and complete information on budget and information management issues during the interim.

### **Please Understand Your Request May Be Denied Or Delayed If You Fail To Submit Complete, Accurate Information In The Required Format Within The Established Timelines**

- Agency staff should begin working with their assigned CFO, Legislative Fiscal Office (LFO), and/or information resource analysts at least two weeks before the date requests are due. This allows analysts to provide thorough analyses and recommendations, and provides time for any revisions or preparation of backup material, if necessary. To assist in this process, a Notice of Intent to Submit an Emergency Board or interim Joint Committee on Ways and Means request is due one week before the date that formal letters are due. Send an email to your CFO analyst, copying your LFO analyst, listing the requests that you expect to bring forward.
- **All letters are due at noon on the stated date. Requests received after that time may be deferred to the next meeting of the Emergency Board or interim Joint Committee on Ways and Means.** Agencies are expected to establish adequate internal controls to ensure that all deadlines are met.
- Placeholders and replacement letters will be accepted only under rare circumstances. A written exception request must be submitted if the agency desires a placeholder. Changing circumstances or corrections can be reflected in the budget and/or information resource analysts' analyses and recommendations.
- Support documentation and backup material for the Emergency Board and interim Joint Committee on Ways and Means items must be provided with original requests. Additional information may be required at the request of the budget and/or information resource analyst(s). **Material cannot be provided to the committees at the table unless approved by LFO.**

## **Emergency Board and Interim Joint Committee on Ways and Means Request Specifics**

- Provide the original signed request letter to the Chief Financial Office (CFO) and an electronic copy to the Legislative Fiscal Office.
- **Except for the signed request letter, no other copies are required.**
- Due dates for the first three interim Joint Committee on Ways and Means request letters are listed in Attachment C; once the schedule for the Emergency Board and any additional meetings for the interim Committee are determined, additional calendars will be provided.
- The format for Emergency Board and interim Joint Committee on Ways and Means request letters can be found in Attachments D-1 and D-2.
- Use the criteria listed in Attachment A to limit your requests to those that are essential.

## **Requests for Retroactive Grant Application Authority (Federal Grants)**

These instructions apply to grants that will require retroactive approval from the legislative review body. Federal grant application requests that are timely must follow the normal request deadlines and due dates.

- The date the agency makes the administrative decision to apply for the grant must fall after a scheduled meeting of either the interim Joint Committee on Ways and Means or the Emergency Board and the application deadline must fall before the next scheduled meeting of the Committee or Emergency Board.
- The time between the initial announcement of the grant opportunity and the agency's decision to apply must have been insufficient for the agency to obtain Committee or Emergency Board approval prior to submission of the grant application.
- **At least ten days prior to the date that it intends to submit the grant application to the federal granting authority**, the agency must provide written notice to the Legislative Fiscal Officer (with a copy to the Chief Financial Office) of its intent to apply for the grant and indicating that it will be requesting retroactive authority at the next scheduled meeting of either the Emergency Board or interim Joint Committee on Ways and Means.
- The written 10-day notification letter should be addressed to the President of the Senate and Speaker of the House. In order to expedite processing, the 10-day notice, along with supporting documentation, is to be sent **ELECTRONICALLY** directly to the Legislative Fiscal Officer and the Chief Financial Officer, with copies to the assigned LFO and CFO analysts.
- Once the 10-day notification letter is received electronically by LFO, copies will be forwarded to the presiding officers and the co-chairs of the interim Joint Committee on Ways and Means by the Legislative Fiscal Office, not by the agency.

- **The grant application may not be submitted until the end of the 10-day notification period.**
- For purposes of the 10-day notification letter only, **no hard copies need to be submitted to either LFO or CFO.** The electronic submittal, however, must be signed by the agency director to be accepted.
- After the 10-day period has expired and the agency submits the federal grant application, **a request letter seeking retroactive approval to apply for the grant must be submitted for legislative action at the next scheduled meeting of the legislative review body.** This letter seeking retroactive approval to apply should follow regular deadlines and due dates for the scheduled meeting of the legislative review body.
- Since both the Emergency Board and the interim Joint Committee on Ways and Means are authorized to review and approve federal grant application requests, LFO will determine which body will review the request for retroactive approval to apply for the federal grant.

In addition to these process guidelines, in order to have more consistency in the content of the letters and to ensure that the information necessary to review the grant application is available, the 10-day notification letter and the letter requesting either retroactive approval or regular approval of a federal grant application **must** include the following information:

- The source of the grant;
- The amount being requested;
- The purpose of the grant;
- The grant application deadline;
- A description of any state match required for the grant (if there is no match required, the letter should explicitly state that no match is required);
- The source of funding for any required state match;
- A description of the impact (if any) the match will have on budgeted services and performance measures;
- An estimate of any additional FTE that the grant will require; and
- A description of how the grant supports the agency mission and goals.

If there are any questions about either this process or the content of the letters, please contact your LFO analyst.

The electronic submissions of the 10-day notification letters should be sent to:

[ken.g.rocco@state.or.us](mailto:ken.g.rocco@state.or.us)

[george.m.naughton@state.or.us](mailto:george.m.naughton@state.or.us)

**September 2013 Meeting of the Interim Joint Committee on Ways and Means C-1**

<b>August 2013</b>				
Monday	Tuesday	Wednesday	Thursday	Friday
			8/1	8/2
8/5	8/6	8/7	8/8	8/9
8/12 <b>Notice of Intent due to CFO/LFO Analyst</b>	8/13	8/14	8/15	8/16
8/19 <b>Ways and Means requests due to CFO by Noon</b>	8/20	8/21	8/22	8/23 <b>LFO receives Final Request Letters by 4 pm</b>
8/26	8/27	8/28 <b>Forecast Released</b>	8/29	8/30

<b>September 2013</b>				
Monday	Tuesday	Wednesday	Thursday	Friday
9/2 <b>LABOR DAY</b>	9/3	9/4	9/5	9/6
9/9	9/10	9/11	9/12	9/13
9/16 <b>Ways and Means Subcommittees Meet</b>	9/17 <b>Ways and Means Subcommittees Meet</b>	9/18 <b>Ways and Means Full Committee Meets</b>	9/19	9/20
9/23	9/24	9/25	9/26	9/27
9/30				

**November 2013 Meeting of the Interim Joint Committee on Ways and Means C-2**

<b>October 2013</b>				
Monday	Tuesday	Wednesday	Thursday	Friday
	10/1	10/2	10/3	10/4
10/7	10/8	10/9	10/10	10/11
10/14 <b>Notice of Intent due to CFO/LFO Analyst</b>	10/15	10/16	10/17	10/18
10/21 <b>Ways and Means requests due to CFO by Noon</b>	10/22	10/23	10/24	10/25 <b>LFO receives Final Request Letters by 4 pm</b>
10/28	10/29	10/30	10/31	

<b>November 2013</b>				
Monday	Tuesday	Wednesday	Thursday	Friday
				11/1
11/4	11/5	11/6	11/7	11/8
11/11 <b>VETERANS'DAY</b>	11/12	11/13	11/14	11/15
11/18	11/19	11/20 <b>Ways and Means Subcommittees Meet</b>	11/21 <b>Ways and Means Subcommittees Meet</b>	11/22 <b>Ways and Means Full Committee Meets</b>
11/25	11/26	11/27 <b>Forecast Released</b>	11/28 <b>THANKSGIVING</b>	11/29

**January 2014 Meeting of the Interim Joint Committee on Ways and Means C-3**

<b>December 2013</b>				
Monday	Tuesday	Wednesday	Thursday	Friday
12/2 <b>Notice of Intent due to CFO/LFO Analyst</b>	12/3	12/4	12/5	12/6
12/9 <b>Ways and Means requests due to CFO by Noon</b>	12/10	12/11	12/12	12/13 <b>LFO receives Final Request Letters by 4 pm</b>
12/16	12/17	12/18	12/19	12/20
12/23	12/24	12/25 <b>CHRISTMAS</b>	12/26	12/27
12/30	12/31			

<b>January 2014</b>				
Monday	Tuesday	Wednesday	Thursday	Friday
		1/1 <b>NEW YEAR'S DAY</b>	1/2	1/3
1/6	1/7	1/8	1/9	1/10
1/13	1/14	1/15 <b>Ways and Means Subcommittees Meet</b>	1/16 <b>Ways and Means Subcommittees Meet</b>	1/17 <b>Ways and Means Full Committee Meets</b>
1/20	1/21	1/22	1/23	1/24
1/27	1/28	1/29	1/30	1/31

Format of Letter to the Emergency Board  
*(Print on Agency's Letterhead)*

**Date**

**Address Block**

The Honorable Senator Peter Courtney, Co-Chair  
The Honorable Representative Tina Kotek, Co-Chair  
State Emergency Board  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301-4048

Dear Co-Chairpersons:

**Nature of the [Emergency/Request]**

Describe the reason for appearing before the Emergency Board, include a precise statement of the action being requested.

**Agency Action**

Describe in detail what actions you have taken to prepare for, offset, or mitigate the emergency, or the need for Emergency Board action.

**Action Requested**

Describe precisely what you want the Emergency Board to do. Include precise expenditure limitation and appropriation dollar amounts and number of positions/full-time equivalency/classification information.

**Legislation Affected**

Cite the appropriate agency ORS statute, appropriation bill, chapter law, and section to be revised if request is approved.

**Format of Letter to the Interim Joint Committee on Ways and Means**  
*(Print on Agency's Letterhead)*

**Date**

**Address Block**

The Honorable Senator Richard Devlin, Co-Chair  
The Honorable Representative Peter Buckley, Co-Chair  
Interim Joint Committee on Ways and Means  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301-4048

Dear Co-Chairpersons:

**Nature of the [Emergency/Request]**

Describe the reason for appearing before the interim Joint Committee on Ways and Means, include a precise statement of the action being requested.

**Agency Action**

Describe in detail what actions you have taken to prepare for, offset, or mitigate the emergency, or the need for Joint Committee on Ways and Means action.

**Action Requested**

Describe precisely what you want the interim Joint Committee on Ways and Means to do. Include precise expenditure limitation and appropriation dollar amounts and number of positions/full-time equivalency/classification information.

**Legislation Affected**

Cite the appropriate agency ORS statute, appropriation bill, chapter law, and section to be revised if request is approved.