



Summary of Emergency Board Action

December 2016

The Legislative Emergency Board met on December 14, 2016 and considered an agenda of 34 items. The Emergency Board approved five allocations from the Emergency Fund, including one from a reservation established at the Board's September 2016 meeting. Five allocations from special purpose appropriations made to the Emergency Board were approved. The Board also approved a request made by the Legislative Fiscal Office to consolidate all unallocated special purpose appropriations into the Emergency Fund. Typically, special purpose appropriations not used by a specified date become available for any purpose allowed by the Emergency Board. The unused amounts are consolidated for ease of access during the next legislative session. After the Emergency Board actions in December, the unallocated Emergency Fund balance (including the \$7.7 million in transferred unused special purpose appropriations) is \$28.3 million.

The agenda included 11 items that requested additional 2015-17 biennium authority to spend Lottery Funds, Other Funds, and Federal Funds. The Emergency Board approved expenditure limitation increases of approximately \$381 million Other Funds (\$339 million for the Oregon Health Authority rebalance), \$8.1 million Federal Funds, and \$0.3 million Lottery Funds. The Emergency Board also authorized the establishment of six permanent positions (11.18 FTE).

The agenda included ten agency reports which the Emergency Board acknowledged receiving. The Emergency Board also heard 4 requests for the submission of federal grant applications, all of which were approved.

The following is a summary of significant Emergency Board actions taken at the December 2016 meeting:

EDUCATION

- Allocated \$2,058,554 from a reservation established within the Emergency Fund for the Department of Education to be distributed to school districts and Education Service Districts for the costs related to testing for elevated levels of lead in water fixtures which are used for drinking, food preparation, and other uses leading to human consumption.
- Allocated \$1,414,193 from the Emergency Fund to the Higher Education Coordinating Commission for a grant to Portland Community College for completion of the final five quarters of the program for former nursing students of the ITT Technical Institute in Portland.
- Approved, retroactively, the submission of a federal grant application by the Department of Education to the U.S. Department of Education for an Enhanced Assistance Grant to develop an

alternative science assessment for students with severe cognitive disabilities; the agency was notified that it did not receive the grant after submitting the request to the Emergency Board.

- Increased the Other Funds expenditure limitation for the Teacher Standards and Practice Commission by \$358,049 for increased fingerprinting, legal, and credit card related costs.

HUMAN SERVICES

- Allocated \$10,624,903 from a special purpose appropriation made to the Emergency Board to the Department of Human Services for caseload costs or other budget challenges, increased the agency's Other Funds expenditure limitation by \$6,706,289, increased the Federal Funds expenditure limitation by \$226,939, and authorized the establishment of one permanent

position (0.25 FTE) to rebalance the Department's 2015-17 budget.

- Allocated \$29,375,097 from a special purpose appropriation made to the Emergency Board to the Oregon Health Authority for caseload costs or other budget challenges, increased the agency's Other Funds expenditure limitation by \$338,848,484, approved other transfers between appropriations and expenditure limitations, with the understanding that the Department of Administrative Services will un-schedule \$751,500,655 Federal Funds limitation, and authorized the establishment of five permanent positions (10.93 FTE) to rebalance the agency's 2015-17 budget.
- Allocated \$659,392 from the Emergency Fund to the Department of Administrative Services for distribution to the University of Oregon, Lane Community College, and the Lane County Health Department for expenses incurred as a result of the meningitis vaccination program in Lane County.
- Acknowledged receipt of a report from the Oregon Health Authority on the new behavioral health investments.
- Acknowledged receipt of a report from the Department of Human Services on program sustainability options and actions.

PUBLIC SAFETY and JUDICIAL BRANCH

- Allocated \$596,000 from the Emergency Fund to the Department of Public Safety Standards and Training to pay for emergency repairs to fire life safety systems, and deferred consideration of a request to fund additional training classes until the 2017 legislative session.
- Increased the Other Funds expenditure limitation for the Department of Justice by \$1,804,679 and the Federal Funds expenditure limitation by \$5,647,521 for the Child Support Enforcement Automated System (CSEAS) project to cover expenditures through June 2017.
- Approved, retroactively, the submission of a federal grant application by the Department of Justice to the U.S. Department of Justice and increased the Federal Funds expenditure limitation by \$1,342,520 for expenses related to the Umpqua Community College shooting incident.
- Approved, retroactively, the submission of a federal grant application by the Department of

Public Safety Standards and Training to the U.S. Department of Homeland Security in the amount of \$500,000 for the purchase of a mobile fire training unit.

- Acknowledged receipt of a report from the Department of Corrections on female and male prison population trends and system bed capacity.
- Allocated \$2,000,000 from a special purpose appropriation made to the Emergency Board to the Department of Corrections to reduce isolation and improve the care of seriously mentally ill adults in custody in the Behavioral Health Unit at the Oregon State Penitentiary.
- Denied a request by the Department of Corrections for an allocation of \$3,800,000 from the Emergency Fund to reactivate the Oregon State Penitentiary Minimum Security Facility by June 2017 in order to provide a second women's prison to accommodate the current prison population and the anticipated population growth reflected in the October 2016 prison population forecast.
- Allocated \$4,055,962 from the Emergency Fund to the Public Defense Services Commission for trial-level public defense costs.
- Acknowledged receipt of a report from the Public Defense Services Commission on compensation plan changes.
- Acknowledged receipt of a report from the Judicial Department on potential courthouse capital construction project funding requests.

NATURAL RESOURCES

- Acknowledged receipt of a report from the Department of Forestry on the 2016 fire season, allocated \$1,768,628 from a special purpose appropriation made to the Emergency Board for fire severity, increased the Other Funds expenditure limitation by \$10,178,762 for the processing of payments for fire season costs, and recommended that General Fund appropriations of \$6,791,209 for large fire costs, \$333,568 for interest expenses, and \$532,278 for district deductible costs be included in an early 2017 session budget rebalance bill.
- Increased the Federal Funds expenditure limitation for the Parks and Recreation Department by \$500,000 for a grant to the Southern Oregon Land Conservancy.

- Increased the Other Funds expenditure limitation for the Parks and Recreation Department by \$865,953 and the Lottery Funds expenditure limitation by \$288,651 for the expenditure of funds to pay for the repair of damages due to December 2015 storm events.
- Increased the Other Funds expenditure limitation for the Department of State Lands by \$3,709,000 for ongoing legal and professional services costs related to the Portland Harbor Superfund Site.
- Approved, retroactively, the submission of a federal grant application by the Department of Geology and Mineral Industries to the U.S. Geologic Survey in the amount of \$162,818 for the collection of LIDAR data in the Upper John Day area.
- Increased the Other Funds expenditure limitation for the Oregon Watershed Enhancement Board by \$65,000 for a grant to Tillamook County.

ECONOMIC and COMMUNITY DEVELOPMENT

- Increased the Federal Funds expenditure limitation for the Oregon Business Development Department by \$421,875 for the State Trade Expansion program.

TRANSPORTATION

- Approved the transfer of \$180,000,000 in excess Other Funds expenditure limitations from the Department of Transportation's Bridge and Local Government programs to the Preservation, Safety/Operations, and Modernization programs to meet the agency's projected expenditure limitation needs for the Statewide Transportation Improvement Program.

CONSUMER and BUSINESS SERVICES

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

ADMINISTRATION

- Allocated \$324,782 from a special purpose appropriation made to the Emergency Board to the Secretary of State for payments to counties for the costs associated with maintaining voter registration records.
- Approved the transfer of \$5,750,000 Other Funds expenditure limitation from the Department of Administrative Services' Enterprise Technology Services to the Office of the State Chief Information Officer, increased the Other Funds expenditure limitation for the Office of the State Chief Information Officer by \$6,975,000, and increased the Other Funds expenditure limitation by \$11,501,225 for Enterprise Technology Services for expenditures related to the consolidation of IT security functions, costs of implementing a new telephone system, and accommodating growth in data storage and licensing costs at the state data center.
- Acknowledged receipt of a report from the Department of Administrative Services on compensation plan changes.
- Acknowledged receipt of a report from the Department of Administrative Services on the status of the information technology procurement management program.
- Acknowledged receipt of a report from the Department of Revenue on the Property Valuation System.

LEGISLATIVE BRANCH

- Approved the transfer of \$7,693,230 from unallocated balances of special purpose appropriations made to the Emergency Board to the Emergency Fund legal citation resulting in an Emergency Fund ending balance of \$28,258,206.

| Emergency Fund Balance Summary | | |
|---|-----------------|-----------------------|
| | Agency Requests | Full Committee Action |
| General Purpose Emergency Fund | | |
| Appropriation (after 2016 Session adjustments) | 32,000,000 | 32,000,000 |
| Allocations to date | (2,650,923) | (2,650,923) |
| Unallocated Balance | 29,349,077 | 29,349,077 |
| Reservations (within General Purpose) | 5,000,000 | 5,000,000 |
| Reservations allocated to date | 0 | 0 |
| Unallocated Reservations | 5,000,000 | 5,000,000 |
| # December 2016 Requests - General Purpose | | |
| 5 Public Defense Services Department - Trial Level Public Defense Costs | (4,055,962) | (4,055,962) |
| 7 Department of Education - Lead Testing in School Water Systems (from Reservation) | (5,000,000) | (2,058,554) |
| 9 Higher Education Coordinating Commission - Nursing Student Program at Portland Community College | (1,589,193) | (1,414,193) |
| 10 Department of Human Services - 2015-17 Budget Rebalance | (13,072,892) | 0 |
| 12 Oregon Health Authority - 2015-17 Budget Rebalance | (38,597,132) | 0 |
| 13 Oregon Health Authority - University of Oregon Meningitis Outbreak (Department of Administrative Services) | 0 | (659,392) |
| 15 Department of Public Safety Standards and Training - Life Safety Systems Emergency Repairs | 0 | (596,000) |
| 21 Department of Corrections - Re-activating Oregon State Penitentiary Minimum Facility for Women Inmates | (3,824,977) | 0 |
| 27 Department of Forestry - 2016 Fire Season Costs and Insurance (see SPA) | (12,083,999) | 0 |
| 37 Legislative Fiscal Office - Transfer of Unused Special Purpose Appropriation to Emergency Fund | 7,693,230 | 7,693,230 |
| Total Requests - General Purpose | (70,530,925) | (1,090,871) |
| General Purpose Unallocated/Unreserved Balance after 12/2016 | (41,181,848) | 28,258,206 |
| Special Purpose Appropriations - Agency Specific (after 2016 Session actions) | | |
| Allocations/Transfers to Date | (11,468,805) | (11,468,805) |
| Unallocated Balance | 51,786,640 | 51,786,640 |
| # December 2016 Requests - Special Purpose Appropriations - Agency Specific | | |
| 1 Secretary of State - Voter Registration Record Costs | (324,782) | (324,782) |
| 10 Department of Human Services - 2015-17 Budget Rebalance | 0 | (10,624,903) |
| 12 Oregon Health Authority - 2015-17 Budget Rebalance | 0 | (29,375,097) |
| 20 Department of Corrections - Behavioral Health Unit | (2,000,000) | (2,000,000) |
| 27 Department of Forestry - 2016 Fire Season Costs and Insurance (see General Purpose) | (1,768,628) | (1,768,628) |
| 37 Legislative Fiscal Office - Transfer of Unused Special Purpose Appropriation to Emergency Fund | (7,693,230) | (7,693,230) |
| Total Requests - Special Purpose - Agency Specific | (11,786,640) | (51,786,640) |
| Special Purpose - Agency Specific - Unallocated Balance after 12/2016 | 40,000,000 | 0 |