



## Summary of Emergency Board Action

September 2016

The Legislative Emergency Board met on September 23, 2016 and considered an agenda of 40 items. The Emergency Board approved one allocation from the general purpose Emergency Fund and established a new reservation within the general purpose Emergency Fund in the amount of \$5 million. No allocations from special purpose appropriations made to the Emergency Board were requested. Additional details on these actions are described below. After the Emergency Board actions, the unallocated and unreserved balance in the general purpose Emergency Fund is \$24.3 million. An additional \$51.8 million remains in various special purpose appropriations, including \$40 million for caseload costs or other unbudgeted expenses of the Oregon Health Authority and the Department of Human Services. Unused special purpose appropriations become available for any lawful use by the Emergency Board on December 1, 2016.

The agenda included 16 items that requested additional 2015-17 biennium authority to spend Other Funds and Federal Funds. The Emergency Board approved expenditure limitation increases of approximately \$10.6 million Other Funds and \$4.2 million Federal Funds. The Emergency Board also authorized the establishment of 23 positions (10.59 FTE) and the extension of five currently existing positions (2.10 FTE).

The agenda also included nine agency reports which the Emergency Board acknowledged receiving. The Emergency Board heard 14 requests for the submission of federal grant applications (10 of which were on a consent agenda).

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

### EDUCATION

- Established a reservation of \$5 million within the general purpose 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. The distribution is anticipated to be made at the December 2016 meeting of the Emergency Board after data on the number of tests submitted is collected.
- Approved, retroactively, the submission of a federal grant application by the Higher Education Coordinating Commission to the U.S. Department of Labor in the amount of \$1,010,000 to improve Information Technology services to dislocated workers.

- Approved, retroactively, the submission of a federal grant application by the Higher Education Coordinating Commission to the U.S. Department of Labor in the amount of \$3,200,000 to grow and diversify opportunities for apprenticeship programs.

### HUMAN SERVICES

- Approved, retroactively, the submission of a federal grant application by the Department of Human Services to the U.S. Department of Education in the amount of up to \$5,000,000 over five years to help prepare students with disabilities for postsecondary education and competitive integrated employment.
- Approved, retroactively, the submission of a federal grant application by the Oregon Health Authority to the Centers for Disease Control and Prevention in the amount of up to \$3,000,000

over three years to supplement the existing currently funded Prescription Drug Overdose Prevention for States Grant.

- Approved the submission of a federal grant application by the Oregon Health Authority to the U. S. Department of Agriculture in the amount of \$7,500,000 to update the Oregon Women, Infants, and Children program information technology platform.

#### **PUBLIC SAFETY and JUDICIAL BRANCH**

- Acknowledged receipt of a report by the Department of Corrections on female and male population trends and system bed capacity.
- Increased the Federal Funds expenditure limitation for the Department of Justice by \$824,282 for the Child Support Enforcement Automated System (CSEAS) project to cover expenditures through December 2016.
- Increased the Other Funds expenditure limitation for the Department of Justice by \$7,189,961 for various agency costs and approved the transfer of \$1,500,000 Other Funds expenditure limitation from the Crime Victims' Services Division to the Civil Enforcement Division, and authorized the establishment of four limited duration positions (1.50 FTE) for the General Counsel Division.
- Approved, retroactively, the submission of a federal grant application by the Department of Justice to the U.S. Department of Justice in the amount of \$1,000,000 for improving outcomes for child and youth victims of sex and labor trafficking.
- Increased the Federal Funds expenditure limitation for the Department of Public Safety Standards and Training by \$390,592 for expenditure of a grant award from the federal Assistance to Firefighters Grant Program.
- Allocated \$100,000 from the Emergency Fund to the Military Department to capitalize the Fuel Storage Facility Compatibility Fund.
- Acknowledged receipt of a report by the Judicial Department on compensation plan changes.
- Approved, retroactively, the submission of a federal grant application by the Judicial Department to the U.S. Department of Health and Human Services in the amount of \$500,000 per year for a five-year term to support activities to help meet the requirements of the Indian Child Welfare Act.

#### **NATURAL RESOURCES**

- Acknowledged receipt of report by the Department of Forestry on the 2016 fire season.
- Approved, retroactively, the submission of a federal grant application by the Department of Geology and Mineral Industries to the Federal Emergency Management Agency in the amount of \$972,670 for LIDAR acquisition, geologic hazard mapping, risk assessments, and outreach activities.
- Approved the submission of a federal grant application by the Department of Geology and Mineral Industries to the U.S. Geological Survey in the amount of \$300,000 for the 2017 State Geological Survey project.
- Increased the Federal Funds expenditure limitation for the Department of Geology and Mineral Industries by \$1,400,000 for increased LIDAR program work through federal grants and contracts for services and authorized the establishment of one limited duration position (0.38 FTE) to assist with FEMA Cooperating Technical Partners grants.
- Increased the Federal Funds expenditure limitation for the Department of State Lands by \$329,000 to implement a grant award received from the National Oceanic and Atmospheric Administration for the remodeling of the Estuarine and Coastal Sciences Laboratory.
- Increased the Other Funds expenditure limitation for the Department of State Lands by \$118,000 to implement the initial portion of an integrated assessment grant from the University of Michigan for a land use and zoning analysis for lands within the Coos Bay Estuary Management Plan.
- Approved, retroactively, the submission of a federal grant application by the Parks and Recreation Department to the U.S. Bureau of Land Management in the amount of \$20,000 for costs associated with a position to digitize archeological site forms and a position associated with the management of cultural resources.
- Acknowledged receipt of a report by the Parks and Recreation Department on workgroup recommendations for allowing all-terrain vehicle operation on state highways.

#### **ECONOMIC and COMMUNITY DEVELOPMENT**

- Increased the Other Funds expenditure limitation for the Housing and Community Services Department by \$1,286,569 and authorized the

establishment of 17 limited duration positions (8.25 FTE) for administration of Hardest Hit Funding awarded by the U.S. Department of the Treasury.

- Approved, retroactively, the submission of a federal grant application by the Department of Veterans' Affairs to the U.S. Department of Veterans' Affairs in the amount of up to \$500,000 for transportation of veterans in highly rural areas to medical appointments; and increased the Federal Funds expenditure limitation by \$500,000 to accommodate award of the grant, with the understanding the Department of Administrative Services will unschedule the limitation increase until the agency is notified that its application for the grant has been successful.
- Approved the submission of a federal grant application by the Department of Veterans' Affairs to the U.S. Department of Veterans' Affairs in the amount of up to \$150,000 for hiring and retention of nursing staff at State Veteran's Homes; increased the Federal Funds expenditure limitation by \$150,000; and increased the Other Funds expenditure limitation by \$150,000 to accommodate award of the grant and required state match, with the understanding the Department of Administrative Services will unschedule the limitation increases until the agency is notified that its application for the grant has been successful.

#### **TRANSPORTATION**

- Approved the submission of a federal grant application by the Department of Transportation to the Federal Railroad Administration in the amount of up to \$1,200,000 to install a Positive Train Control system on state-owned passenger trains.
- Approved, retroactively, the submission of a federal grant application by the Department of Transportation to the Federal Highway Administration in the amount of up to \$55,560 to develop nature-based design solutions to address coastal erosion problems.
- Acknowledged receipt of a report by the Department of Transportation on the federal REAL ID Act.

- Increased the Other Funds expenditure limitation for the Department of Aviation by \$52,680, and increased the Federal Funds expenditure limitation for the Department of Aviation by \$474,120 for costs to implement phase 1 of an update to the Oregon Aviation Plan.

#### **CONSUMER and BUSINESS SERVICES**

- Acknowledged receipt of a follow-up report by the Department of Consumer and Business Services on the 2016 and 2017 marketing and outreach plans for the Oregon Health Insurance Marketplace.
- Approved, retroactively, the submission of a federal grant application by the Department of Consumer and Business Services to the U.S. Department of Health and Human Services for the planning and implementation of insurance market reforms, and increased the Federal Funds expenditure limitation by \$97,749 for the implementation of the federal grant.
- Increased the Other Funds expenditure limitation for the Board of Psychologist Examiners by \$85,000 for costs associated with administrative hearings and Attorney General fees.

#### **ADMINISTRATION**

- Increased the Other Funds expenditure limitation for the Department of Revenue by \$368,735 and authorized the increase of full-time equivalents by 2.10 FTE for the Senior Citizens' and Disable Citizens' Property Tax deferral program.
- Acknowledged receipt of a report by the Department of Administrative Services on compensation plan changes.
- Acknowledged receipt of a report by the Department of Administrative Services on the state's certificates of participation and Article XI-G general obligation bond debt service savings as a result of refinancing.
- Authorized the establishment of one permanent Accounting Technician 3 position (0.46 FTE) for the Department of Administrative Services to provide payroll functions for the Department of Consumer and Business Services.
- Increased the Other Funds expenditure limitation for the Public Employees Retirement System by \$381,074 for a third party information security assessment.

- Acknowledged receipt of a report by the Public Employees Retirement System on a statutory review for simplifying and reducing the costs of the statutory benefits structure and its administration.
- Increased the Other Funds expenditure limitation for the Oregon Liquor Control Commission by \$920,000 to address unanticipated structural defects and remediate hazards discovered during the course of work to repair and replace sections

of roof at Oregon Liquor Control Commission facilities.

**LEGISLATIVE BRANCH**

- Increased the Other Funds expenditure limitation for the Legislative Administration Committee by \$60,000 for costs associated with the operational expenses of the Oregon State Capitol Foundation.

| <b>Emergency Fund Balance Summary</b>  |   |  | <b>Agency</b>   | <b>Emergency</b>    |
|--|---|--|-----------------|---------------------|
|  |   |  | <b>Requests</b> | <b>Board Action</b> |
| <b>General Purpose Emergency Fund</b>  |   |  |                 |                     |
|  | Appropriation (after 2016 Session adjustments)  |  | 32,000,000      | 32,000,000          |
|  | Allocations to date   |  | (2,550,923)     | (2,550,923)         |
| <b>Unallocated Balance</b>   |   |  | 29,449,077      | 29,449,077          |
|  | Reservations (within General Purpose)   |  | 5,000,000       | 5,000,000           |
|  | Reservations allocated to date  |  |                 |                     |
| <b>Unallocated Reservations</b>  |   |  | 5,000,000       | 5,000,000           |
| #  | <b>September 2016 Requests - General Purpose</b>  |  |                 |                     |
| 41   | Legislative Fiscal Office for the Department of Education - Reservation for Lead Testing in K-12 Schools        |  | (5,000,000)     | (5,000,000)         |
| 42   | Legislative Fiscal Office for the Military Department - Fuel Storage Facility Compatibility Fund Capitalization |  | (100,000)       | (100,000)           |
|  | Total Requests - General Purpose  |  | (5,100,000)     | (5,100,000)         |
| <b>General Purpose Unallocated/Unreserved Balance after 09/2016</b>                  |   |  | 24,349,077      | 24,349,077          |
| <b>Special Purpose Appropriations - Agency Specific (after 2016 Session actions)</b> |   |  | 63,255,445      | 63,255,445          |
|  | Allocations/Transfers to Date   |  | (11,468,805)    | (11,468,805)        |
| <b>Unallocated Balance</b>   |   |  | 51,786,640      | 51,786,640          |
| #  | <b>September 2016 Requests - Special Purpose Appropriations - Agency Specific</b>                               |  |                 |                     |
|  | None  |  | 0               | 0                   |
|  | Total Requests - Special Purpose - Agency Specific  |  | 0               | 0                   |
| <b>Special Purpose - Agency Specific - Unallocated Balance after 09/2016</b>         |   |  | 51,786,640      | 51,786,640          |