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Summary of Emergency Board Action September 2010

The Legislative Emergency Board met on September 22-23, 2010 and considered an agenda of 72 items. The agenda included no agency requests for allocations from the general purpose appropriation made to the Emergency Board, but the Board made two such allocations; one in the amount of \$7 million for the State School Fund and another in the total amount of \$7.6 million to mitigate public safety agency allotment reductions. There was one request on the agenda by the Department of Justice for an allocation from a special purpose appropriation made to the Emergency Board, totaling \$1.1 million, of which \$0.3 million was allocated. In addition, the Emergency Board allocated \$3 million from the remaining special purpose appropriation for the Department of Human Services to mitigate allotment reductions affecting Employment Related Day Care. Additional details on these allocations are described below. After the Emergency Board actions, the unallocated balance of the general purpose Emergency Fund is \$5.4 million. The special purpose unallocated balance is \$31.2 million. As of December 1st, all remaining special purpose appropriations become available to the Emergency Board for any lawful purpose.

The agenda included 17 items that requested additional 2009-11 biennium authority to spend Lottery Funds, Other Funds, and Federal Funds. The Emergency Board approved expenditure limitation increases of approximately \$10.7 million Other Funds and \$134.7 million Federal Funds (including \$117.9 million for the Department of Education, State School Fund from the federal EduJobs program). The Emergency Board also authorized the establishment of 40 limited duration positions, with an overall increase of 14.25 FTE and 4 permanent positions (1.42 FTE).

The agenda also included 16 agency reports, which the Emergency Board acknowledged receiving with one exception (Department of State Police report on a proposed fee increase in the Hazardous Substance Possession fee). The Emergency Board also approved 39 requests for the submission of federal grant applications.

The following is a summary of significant Emergency Board actions taken at the September 2010 meeting:

Education

- Allocated \$7 million from the general purpose Emergency Fund to the State School Fund, Supplemental School District and School Program Subaccount and increased the Federal Funds expenditure limitation by \$117,949,095 for the State School Fund.
- Established an Other Funds Capital Construction (Article XI-F bonds) expenditure limitation for the 2009-11 biennium for construction of family housing at Western Oregon University and transferred \$4.8 million Other Funds Capital Construction (Article XI-F bonds) expenditure limitation established for the Oregon Center for Sustainability to the newly established Western Oregon University Family Housing project.
- Increased the Other Funds Capital Construction (Other Revenues) expenditure limitation established for expansion and renovation of Gilbert Hall at the University of Oregon by \$2 million.

- Increased the Other Funds expenditure limitation by \$483,500 and the Federal Funds expenditure limitation by \$440,000 for grants received by the Department of Community Colleges and Workforce Development.
- Increased the Federal Funds expenditure limitation by \$215,443 for the Department of Education's Oregon School for the Deaf.
- Increased the Other Funds expenditure limitation by \$849,430 and authorized the establishment of three limited duration positions (0.83 FTE) for grants received by the Oregon Student Assistance Commission.

Human Services

- Acknowledged receipt of a report by the Department of Human Services on the agency's 2009-11 biennium financial status and allocated \$3 million from the special purpose appropriation made to the Emergency Board for the Department of Human Services during the February 2010

special session to supplement the appropriation made to the Children, Adult and Families Division for the Employment Related Day Care program.

- Acknowledged receipt of reports by the Department of Human Services and the Oregon Health Authority on the transition of the agency and several other state agencies and programs into two agencies, the status of the Medicaid Management Information System, the status of the Prescription Drug Monitoring Program, and hospital reimbursement methods under the Oregon Health Plan.

Public Safety and Judicial Branch

- Allocated \$4,415,422 for the Department of State Police to prevent layoffs of criminal detectives, forensic scientists, and other critical staff, \$2,440,000 for the Oregon Youth Authority to protect close custody beds and prevent staff layoffs in the near-term, and \$754,131 for the District Attorneys and Their Deputies to maintain salaries from the general purpose Emergency Fund; the funding partially restored reductions made due to allotment reductions caused by the state's current revenue situation.
- Acknowledged receipt of reports by the Oregon Judicial Department and the Public Defense Services Commission on HB 2287 revenues.
- Acknowledged receipt of a report by the Oregon Judicial Department on the eCourt Program.
- Allocated \$259,591 from the special purpose appropriation made to the Emergency Board for the Department of Justice for the legal costs to protect the state's interest in the Master Settlement Agreement payments.
- Established an Other Funds Capital Construction expenditure limitation for the 2009-11 biennium for the Military Department in the amount of \$1 million for solar array panels and a separate Other Funds Capital Construction expenditure limitation in the amount of \$121,200 for the acquisition of 2,296 acres of property for the agency's Christmas Valley project.
- Increased the Federal Funds expenditure limitation by \$700,000 for the Department of State Police for the purchase of a SWAT vehicle and other equipment.
- Refused to acknowledge a report by the Department of State Police notifying the Legislature on a proposed fee increase in the Hazardous Substance Possession fee.
- Acknowledged receipt of a report by the Military Department and the Department of Aviation on the state's search and rescue program.

Natural Resources

- Increased the Other Funds expenditure limitation

of the Department of Fish and Wildlife by \$5,720,319 for the Fish Propagation, Fish Natural Production, and Wildlife Habitat programs.

- Increased the Federal Funds expenditure limitation by \$1,415,199 and the Other Funds expenditure limitation by \$798,713 for the Department of Geology and Mineral Industries for work involving geologic hazards and Light Detection and Ranging (LIDAR) studies.
- Increased the Federal Funds expenditure limitation by \$114,644 for the Parks and Recreation Department for funds received from the Institute of Museum and Library Services for the design and fabrication of a museum exhibit for the Kam Wah Chung Interpretive Center in John Day, Oregon.
- Increased the Other Funds expenditure limitation by \$354,042 for the Department of State Lands for receipt of grants for the South Slough National Estuarine Research Reserve.
- Increased the Federal Funds expenditure limitation by \$1,156,461 for the Marine Board to recognize additional federal resources available for Marine Law Enforcement and Administration and Boater Education programs.

Economic and Community Development

- Increased the Federal Funds expenditure limitation by \$2,316,205 for the Oregon Business Development Department, Infrastructure Financing, and authorized the establishment of one permanent position (0.38 FTE) for administration of the Community Development Block Grant Housing Rehabilitation program, with the understanding that the Department will partially finance the new position by eliminating an existing vacant position and that the Department of Administrative Services will un-schedule \$2,316,205 Federal Funds expenditure limitation from the Housing and Community Services Department (where administration of the Community Development Block Grant Housing Rehabilitation program currently resides).
- Increased the Other Funds expenditure limitation by \$3,581,160 for the Housing and Community Services Department and authorized the establishment of 35 limited duration positions (12.75 FTE) for the purpose of administering grants and loans for the Home Ownership Stabilization Initiative.
- Increased the Federal Funds expenditure limitation by \$3,829,000 for the Housing and Community Services Department and approved, retroactively, the submission of a federal grant application to the U.S. Department of Energy for the Sustainable Energy Resources for Consumers program.

Transportation

- Acknowledged receipt of a report on the implementation status of the Oregon Wireless Interoperability Network (OWIN) project.
- Approved, retroactively, the submission of a federal grant application by the Department of Transportation to the U.S. Department of Commerce in the amount of \$150 million for a Broadband Technology Opportunities Program grant to develop a public safety broadband wireless data network.

Consumer and Business Services

- Established a Federal Funds expenditure limitation in the amount of \$830,000 for the Department of Consumer and Business Services, authorized the establishment of three permanent (1.04 FTE) and one limited duration (0.33 FTE) position, and approved, retroactively, the submission of two federal grant applications to the U.S. Department of Health and Human Services for a Consumer Assistance Grant, with the understanding that the Department of Administrative Services will unschedule \$230,000 of the expenditure limitation and that the Department will administratively establish three additional positions if the grant is awarded.
- Increased the Other Funds expenditure limitation by \$1.5 million for the Bureau of Labor and Industries and authorized the establishment of

one limited duration position (0.38 FTE) for the Statewide Supportive Services Program activities identified in an interagency agreement with the Oregon Department of Transportation.

Administration

- Acknowledged receipt of reports from the Department of Administrative Services on the state's Certificate of Participation debt service savings resulting from refinancing, the sale of the real property known as the Oregon School for the Blind, the implementation of compensation plan changes and position allocations, the Wall-2-Wall Initiative, and the agency's structure, service delivery, and funding mechanisms.
- Approved, retroactively, the submission of a federal grant to the U.S. Department of Health and Human Services, Administration on Children, Youth, and Families in the amount of \$1,166,201 by the Office of the Governor to support the State Early Childhood Advisory Council, with the understanding that the agency will return to the Emergency Board or the Joint Committee on Ways and Means with a completed plan on how the grant funds would be spent prior to actually spending any of the grant funds.

Emergency Fund Balance Summary		
	Agency Request	Emergency Board Approved
General Purpose Emergency Fund		
Appropriation (after February 2010 Special Session adjustments)	20,000,000	20,000,000
Allocations to date	-	-
Unallocated Balance	20,000,000	20,000,000
# September 2010 Requests - General Purpose		
9 Department of Education - State School Fund Federal Funds Limitation Increase	-	(7,000,000)
75 Legislative Fiscal Office - Public Safety Allotment Reduction Mitigation	-	-
Department of State Police	-	(4,415,422)
Oregon Youth Authority	-	(2,440,000)
District Attorneys and Their Deputies	-	(754,131)
Total Requests - General Purpose	-	(14,609,553)
General Purpose Unallocated Balance after 9/10	20,000,000	5,390,447
Special Purpose Appropriation - Agency Supplemental Funding (after February 2010 Special Session adjustment)	-	-
Allocations/Transfers to Date	-	-
Unallocated Balance	-	-
Special Purpose - Agency Supplemental Funding Unallocated Balance after 9/10	-	-
Special Purpose Appropriations - Agency Specific (includes February 2010 Special Session actions)	55,641,590	55,641,590
Allocations/Transfers to Date	(21,221,965)	(21,221,965)
Unallocated Balance	34,419,625	34,419,625
# September 2010 Requests - Special Purpose Appropriations - Agency Specific		
14 Department of Human Services - Employment Related Day Care	-	(3,000,000)
35 Department of Justice - Master Settlement Agreement Litigation Costs	(1,089,146)	(259,591)
Total Requests - Special Purpose - Agency Specific	(1,089,146)	(3,259,591)
Special Purpose - Agency Specific - Unallocated Balance after 9/10	33,330,479	31,160,034