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## Summary of Emergency Board Action

**December 2008**

The Legislative Emergency Board met on December 4-5, 2008 and considered an agenda of 32 items. The agenda included two agency requests for allocations from the general purpose appropriation made to the Emergency Board. These requests totaled \$1.1 million, \$1.0 million of which was approved. There were three requests on the agenda for allocations from special purpose appropriations made to the Emergency Board, totaling \$18 million, of which \$17.9 million was allocated. Additional details on these allocations are described below. After the Emergency Board actions, the unallocated unreserved balance of the general purpose Emergency Fund was \$17.5 million. The special purpose unallocated balance was \$35.8 million. As of December 1<sup>st</sup>, all remaining special purpose appropriations became available to the Emergency Board for any lawful purpose. The Legislative Fiscal Office requested transfer of these expired, unused special purpose appropriations to the general purpose legal citation. This transfer consolidates all remaining dollars into the general purpose account. The Emergency Board approved this transfer resulting in a general purpose Emergency Fund of \$53.2 million which will be available to the 75<sup>th</sup> Legislative Assembly or will revert to the state's ending balance at the close of the 2007-09 biennium.

The agenda included 9 items that requested additional 2007-09 biennium authority to spend Lottery Funds, Other Funds, and Federal Funds. The Emergency Board approved expenditure limitation increases of approximately \$138,000 Lottery Funds, \$43.1 million Other Funds (including \$24.4 million as part of the Department of Human Services' rebalance plan and \$16.9 million for the Department of Transportation's debt service payments) and \$91.1 million Federal Funds (including \$34.5 million for the Department of Human Services' rebalance plan and \$29.8 million for the Department of Energy's Low Income Home Energy Assistance Program). In addition, the Emergency Board approved various transfers of Other Funds and Federal Funds expenditure limitations between expenditure categories within agencies. The Emergency Board also approved the establishment of 43 limited duration positions, with an overall increase of 10.75 FTE, and 57 permanent positions, with a net decrease of 6.17 FTE.

Also on the agenda were 17 agency reports, which the Emergency Board acknowledged.

The interim Joint Committee on Ways and Means also met on November 20, 2008, and dealt with three requests to approve federal grant applications and 30 agency reports that would have otherwise been on the Emergency Board agenda. All three federal grant application requests were approved and all 30 reports acknowledged.

The following is a summary of significant Emergency Board actions taken at the December 2008 meeting:

### Education

- Increased the Federal Funds expenditure limitation of the Department of Education by \$18,954,218 to support grants for local school districts.
- Acknowledged receipt of report by the Department of Education on addressing the needs of children with autism.
- Acknowledged receipt of an oral report by the Department of Education on the student transportation system and directed the agency to develop and present recommendations on specific objectives of the system by February 1, 2009.

### Human Services

- Allocated \$15,080,056 from the special purpose appropriation for the Department of Human Services (DHS) for caseloads, cost-per-case, and program needs; approved the transfers of General Fund appropriations; increased the Other Funds expenditure limitation by \$24,358,526; increased the Federal Funds expenditure limitation by \$34,490,683; and authorized the establishment of a net 57 positions (for a net decrease of 6.17 FTE) to partially rebalance the DHS budget for the 2007-09 biennium.
- Acknowledged receipt of several reports by the Department of Human Services, including reports

on the Oregon State Hospital (OSH) replacement project, efforts to reduce health care disparities among the variety of racial and ethnic populations served by the Oregon Health Plan, the restructured Temporary Assistance to Needy Families program, developing an integrated healthcare delivery system, and the OSH continuous improvement plan.

- Acknowledged receipt of a report by the Department of Human Services and the Psychiatric Security Review Board (PSRB) on the implementation of SB 328 that extended PSRB jurisdiction to youth with developmental disabilities who successfully assert the insanity defense.

#### **Public Safety and Judicial Branch**

- Acknowledged receipt of a report by the Department of Corrections on the implementation of Ballot Measure 57 and the financial status of the agency.
- Transferred General Fund appropriations between divisions, increased the Other Funds expenditure limitation for the Forensics Division by \$160,000, and increased the Federal Funds expenditure limitation for the Forensics Division by \$350,000 to rebalance the Department of State Police budget for the 2007-09 biennium, and acknowledged receipt of a report on fee increases relating to fireworks.
- Acknowledged receipt of a report by the Department of State Police on the progress of the Oregon Wireless Interoperability Network (OWIN) project on project management and governance.
- Acknowledged receipt of reports by the Judicial Department on the status of the eCourt Program and on how the eCourt Program and all component projects are adhering to lessons learned from the Computer and Network Infrastructure Consolidation Project.
- Acknowledged receipt of a report by the Criminal Justice Commission on the activities of a public safety agency data sharing work group.

#### **Natural Resources**

- Allocated \$2,181,351 from the special purpose appropriation for the Department of Forestry to pay for costs associated with contracting for large air tankers and helicopters to supplement resource for the 2008 fire season and allocated \$367,213 from the same special purpose appropriation for the purchase of catastrophic fire insurance.
- Increased the Lottery Funds expenditure limitation of the Department of Fish and Wildlife by \$138,144 for a research grant from the Oregon Watershed Enhancement Board and increased the Other Funds expenditure limitation by \$711,243 to

pay the third party operator of the Department's new hunting and fishing licenses and tags purchasing system.

- Increased the Other Funds expenditure limitation of the Parks and Recreation Department by \$939,242 for Oregon State Fair operations.
- Acknowledged receipt of a report by the Department of Energy on the establishment of a satellite office in Hermiston.
- Acknowledged receipt of a report by the Department of Land Conservation and Development on work plan progress by the Oregon Task Force on Land Use Planning.

#### **Economic and Community Development**

- Increased the Federal Funds expenditure limitation of the Employment Department by \$6,600,000 and authorized the establishment of 43 limited duration positions (10.75 FTE) to address escalating workload associated with Unemployment Insurance claims processing.
- Increased the Federal Funds expenditure limitation of the Housing and Community Services Department by \$29,754,000 for the Low Income Home Energy Assistance Program.

#### **Transportation**

- Increased the Other Funds expenditure limitation of the Department of Transportation by \$16,946,116 for debt service payments on the Oregon Transportation Investment Act (OTIA) highway revenue bonds.
- Increased the Federal Funds expenditure limitation of the Department of Transportation by \$947,670 for grants received from the U.S. Department of Homeland Security relating to verifying legal presence and the Federal Motor Carrier Safety Administration relating to work on the Commercial Driver License Information System.
- Transferred \$20 million Other Funds expenditure limitation of the Department of Transportation from the Bridge program to the Highway Operations program and transferred \$10 million Other Funds expenditure limitation from the Bridge program to the Highway Safety program.
- Acknowledged receipt of a report by the Department of Transportation on construction project cost over- and under-runs.

#### **Administration**

- Allocated \$314,782 from the Emergency Fund to the Secretary of State for reimbursement costs associated with the 2008 Primary and General Election Voters' Pamphlets.
- Allocated \$686,778 from the Emergency Fund for five state agencies (Psychiatric Security Review Board, District Attorneys and Their Deputies,

Board of Parole and Post-Prison Supervision, Land Use Board of Appeals, Employment Relations Board) to fund 2007-09 biennium compensation plan changes and transferred \$82,758 Other Funds expenditure limitation between appropriations for the Employment Relations Board.

- Acknowledged receipt of a report by the Department of Administrative Services on compensation plan changes and position allocations.

- Allocated \$292,549 from the special purpose appropriation for the Legislative Administration Committee for costs associated with planning, debt service, and relocation of Legislative and Executive Branch staff for the Capitol renovation project.
- Transferred unused, expired special purpose appropriations totaling \$35,789,831 to the general purpose appropriation legal citation.

| <b>Emergency Fund Balance Summary</b>   |                        |                           |
|---|------------------------|---------------------------|
|   | <b>Agency Request</b>  | <b>Committee Approved</b> |
| <b>General Purpose Emergency Fund</b>   |                        |                           |
| Appropriation (SB 5549)   | 30,000,000             | 30,000,000                |
| Allocations to date   | (11,547,480)           | (11,547,480)              |
| Unallocated/Unreserved Balance  | 18,452,520             | 18,452,520                |
| <b># December 2008 Requests - General Purpose</b>   |                        |                           |
| 1 Secretary of State - Voters' pamphlet costs for 2008 primary and general elections                              | (396,428)              | (314,782)                 |
| 60 Department of Administrative Services - Compensation plan changes  | (686,778)              | (686,778)                 |
| Total Requests - General Purpose  | (1,083,206)            | (1,001,560)               |
| Unallocated/Unreserved Balance available to Emergency Board   | 17,369,314             | 17,450,960                |
| 68 Legislative Fiscal Office - Transfer of expired special purpose appropriations                                 | 35,789,831             | 35,789,831                |
| <b>General Purpose Unallocated/Unreserved Balance after 12/08 (including transfer of SPAs)</b>                    | <b>53,159,145</b>      | <b>53,240,791</b>         |
| <b>Special Purpose Appropriation - Agency Supplemental Funding</b>  |                        |                           |
| Allocations/Transfers to Date   | (100,000,000)          | (100,000,000)             |
| Unallocated Balance   | 25,000,000             | 25,000,000                |
| <b># December 2008 Requests - Special Purpose Appropriation - Agency Supplemental Funding</b>                     |                        |                           |
| 68 Legislative Fiscal Office - Transfer of expired special purpose appropriations                                 | (25,000,000)           | (25,000,000)              |
| Total Requests - Special Purpose - Agency Supplemental Funding  | (25,000,000)           | (25,000,000)              |
| <b>Special Purpose - Agency Supplemental Funding Unallocated Balance after 12/08</b>                              | <b>-</b>               | <b>-</b>                  |
| <b>Special Purpose Appropriations - Agency Specific (includes February 2008 Special Session action - SB 5556)</b> |                        |                           |
| Allocations/Transfers to Date   | (40,173,567)           | (40,173,567)              |
| Unallocated Balance   | 28,711,000             | 28,711,000                |
| <b># December 2008 Requests - Special Purpose Appropriations - Agency Specific</b>                                |                        |                           |
| <del>11 Department of Education - EI/ECSE second year caseload growth - Withdrawn by agency 12/3/08</del>         | <del>(4,259,565)</del> | <del>-</del>              |
| 15 Department of Human Services - Financial update and cost increases   | (15,080,056)           | (15,080,056)              |
| 26 Department of Corrections - Repeat property offender ballot measure costs                                      | (1,000,000)            | -                         |
| 42 Department of Forestry - Forest fire suppression and insurance costs   | (2,635,334)            | (2,548,564)               |
| 65 Legislative Administration Committee - Costs associated with Capitol Renovation and moving                     | (292,549)              | (292,549)                 |
| Total Requests - Special Purpose - Agency Specific  | (23,267,504)           | (17,921,169)              |
| Unallocated Remaining Special Purpose Appropriations  | 5,443,496              | 10,789,831                |
| 68 Legislative Fiscal Office - Transfer of expired special purpose appropriations                                 | (10,789,831)           | (10,789,831)              |
| <b>Special Purpose - Agency Specific - Unallocated Balance after 12/08</b>  | <b>5,443,496</b>       | <b>-</b>                  |