



**DEPARTMENT OF CORRECTIONS  
Business & Finance**



<b>Title:</b>	<b>Emergency Board and Interim Joint Committee on Ways and Means Requests</b>	<b>DOC Policy: 30.5.2</b>
<b>Effective:</b>	<b>6/26/24</b>	<b>Supersedes: 3/15/17</b>
<b>Applicability:</b>	<b>All functional units</b>	
<b>Directives Cross-Reference:</b>	<p align="center"> <b>ORS 291.328 Board May Require Presentation of Evidence to Support Requests for Action</b>  <b>ORS 8.105 Submission of Proposed Change to Legislative Committee</b>  <b>ORS 291.326(1)(a-d) Powers of Board Concerning Expenditures by State Agencies</b>  <b>ORS 276.390 Submission of Rent Schedule to Emergency Board or Joint Interim Committee on Ways and Means</b>  <b>ORS 291.371 Salary Plan Review by Legislative Review Agency</b>  <b>ORS 291.375 Legislative Review of Applications for Federal Financial Assistance</b> </p>	
<b>Attachment:</b>	<b>None</b>	

**I. PURPOSE**

The purpose of this policy is to establish specific responsibilities within the Department of Corrections for identification and preparation of Emergency Board requests.

**II. DEFINITIONS**

- A. **Emergency:** Any catastrophe, disaster or unforeseen or unanticipated condition or circumstance, or abnormal change of conditions or circumstances, affecting the functions of a state agency and the expenditure requirements for the performance of these functions.
- B. **Emergency Board:** The Emergency Board is a joint legislative committee which is empowered to make certain fiscal decisions in the absence of the full Legislature. They meet periodically during the second fiscal year of each biennium between the short legislative session and the long legislative session. The Emergency Board approves limitation increases, awards funds from the Emergency Fund and can approve applications for federal fund grants.
- C. **Functional Unit:** Any organizational component within the Department of Corrections responsible for the delivery of program services or coordination of program operations.

- D. **Functional Unit Manager:** Any person within the Department of Corrections who reports to either the Director, the Deputy Director, an Assistant Director, or an administrator and has responsibility for delivery of program services or coordination of program operations.
- E. **Interim Joint Committee on Ways and Means:** The Interim Joint Committee on Ways and Means is a legislative interim committee which is empowered to make certain fiscal decisions in the absence of the full Legislature. They meet periodically during the first fiscal year of each biennium between the long legislative session and short legislative session. The Interim Committee cannot approve funds or limitation but can approve application for federal funds grants. The Interim Committee refers recommendations for other actions to the short legislative session.

## **II. POLICY**

### **A. Determination of an Emergency**

1. Functional unit managers shall monitor and assess the impact of circumstances that develop which could have adverse fiscal impact upon a functional unit's programs.
2. As soon as such circumstances are identified as beyond the scope of the functional unit, the affected functional unit manager will inform their Assistant Director.
3. If circumstances are identified as beyond the scope at the division level, the Assistant Director will work with the agency Chief Financial Officer to determine whether or not the problem can be resolved within the department's legislatively approved budget. If resolution cannot be reached, the issue will be brought before the agency Executive Team for recommended action.
4. The Executive Team will review the problem to determine whether, in their judgment, a defined emergency does exist. They will make a recommendation to the Director. The Director will make the final determination and will communicate the decision to the Executive Team. That communication may come through the Chief Financial Officer.
5. Additionally, the Interim Joint Committee on Ways and Means or Emergency Board reviews and approves agencies' ability to apply for financial assistance or grants specifically from the federal government. Agencies must not even apply for a federal grant without legislative approval, and the Emergency Board fulfills that role when the legislature is not in session. Once a grant is awarded, the full legislature or Emergency Board approves additional limitation. Limitation increases are necessary for both Other Funds and Federal Fund grants.

## **B. Process of Emergency Board Request**

1. When the Director determines that an Interim Joint Committee on Ways and Means or Emergency Board request is required, the Chief Financial Officer will notify the Department of Administrative Services and the Legislative Fiscal Office of the agency's intent to request action by the Interim Joint Committee on Ways and Means or Emergency Board by the deadline put in place by the Legislative Fiscal Office for submitting a Letter of Intent.
2. The Chief Financial Officer will provide the Assistant Director with the latest process memo from the Legislative Fiscal Office regarding Interim Joint Committee on Ways and Means or Emergency Board instructions which includes requirements, criteria, templates, and direction on how to submit a Letter of Request. The process requirements and templates can be found on Department of Administrative Services Budget webpage under Emergency Board and Joint Ways and Means Process.
3. The Assistant Director will then initiate a draft Letter of Request in the format prescribed by the Department of Administrative Services Budget webpage under Emergency Board and Joint Ways and Means Process. Draft requests for Interim Joint Committee on Ways and Means or Emergency Board shall be forwarded to the Chief Financial Officer one week prior to the Legislative Fiscal Office's deadline for submitting a Letter of Request.
4. The Chief Financial Officer will submit the draft Letter of Request to the Office of Communications for review of language and formatting per Department of Corrections communications standards.
5. Office of Communications will work with the Director's Office to ensure the Letter of Request gets signature approval and then gets returned to the Chief Financial Officer. The Chief Financial Officer will submit to the Department of Administrative Services and Legislative Fiscal Office prior to the deadline for submitting a Letter of Request. The submission will include a copy to the Assistant Director, Office of Communications, and Director's Office.
6. The Director, Assistant Director, or affected functional unit manager will present the request to the Interim Joint Committee on Ways and Means or Emergency Board.
7. The Chief Financial Officer will inform the affected functional unit, Director, Assistant Director, and Budget Office of actions taken by the Interim Joint Committee on Ways and Means or Emergency Board.
8. Letters of Request will be initiated in business letter form on Department of Corrections Director's Office letterhead.

9. The process for submitting Emergency Board and Interim Joint Committee on Ways and Means requests for funding is the same process as submitting requests for funding during a legislative session.

### **III. IMPLEMENTATION**

This policy will be adopted immediately without further modification.

Certified: signature on file

Julie Vaughn, Rules Coordinator

Approved: signature on file

Heidi Steward, Deputy Director