



Oregon

Kate Brown, Governor

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TO: MLAC members

FROM: Theresa Van Winkle, Legislative Director

SUBJECT: Historical fund sweeps

At our last MLAC meeting, you asked for more information about legislative actions to “sweep” DCBS funds to use for other purposes. Article IX, Section 2 of the Oregon Constitution requires the Legislature to enact a balanced budget. As part of the legislatively adopted budget, the Legislature can enact legislation that transfers excess funds from identified agencies excess funds to the General Fund for general governmental purposes or a specific purpose. The measure is commonly called the “program change” bill.

The table below shows transfers since 2003 for all DCBS funds. A transfers like this is accomplished via budget legislation (an example for the 2003 transfer is attached to this memo).

Session Date	Fund	Purpose	Amount
2003	Premium Assessment Operating Account	For General Governmental Purposes	\$15,696,606
2003	Premium Assessment Operating Account	Reduction in employer PERS contribution rates	\$2,837,018
2003	Insurance	Reduction in employer PERS contribution rates	\$609,360
2003	Division of Finance and Corporate Securities	Reduction in employer PERS contribution rates	\$409,236
2003	Building Codes Division	Reduction in employer PERS contribution rates	\$506,374
2003	Office of Minority, Women, and Emerging Small Business	Reduction in employer PERS contribution rates	\$29,123
2003	Oregon Medical Insurance Pool	Reduction in employer PERS contribution rates	\$49,740
2003	Workers' Benefit Fund	Reduction in employer PERS contribution rates	\$251,152
2010	Premium Assessment Operating Account	For General Governmental Purposes	\$500,000
2010	Self-Insured Employer Adjustment Reserve	For General Governmental Purposes	\$500,000

Example

Chapter 734 Oregon Laws 2003 (excerpt)

SECTION 4. Notwithstanding any other provision of law, not later than January 1, 2005, the following amounts shall be transferred from amounts contained on June 30, 2003, in the following funds, accounts and other sources, to the General Fund to be available for general governmental expenses:

- (1) Bureau of Labor and Industries, Wage Security Fund, ORS 652.409, \$2 million.
- (2) Department of Consumer and Business Services, Consumer and Business Services Fund, ORS 705.145, from moneys collected pursuant to ORS 656.612, \$15,696,606.
- (3) Employment Department:
 - (a) Supplemental Employment Department Administration Fund, ORS 657.783, \$15 million.
 - (b) Oregon JOBS Plus Unemployment Wage Fund, ORS 657.925, \$2.5 million.
 - (c) Employment Department Special Administrative Fund, ORS 657.822, \$5.5 million.
- (4) Oregon Department of Administrative Services, Insurance Fund, ORS 278.425, \$8.1 million.
- (5) State Forestry Department, State Forestry Department Account, ORS 526.060, from moneys available to the state under ORS 530.110, \$10 million.
- (6) Oregon Student Assistance Commission, Oregon JOBS Individual Education Account, ORS 411.894, \$674,765.
- (7) Secretary of State, Operating Account, ORS 56.041, \$677,118.