

Enrolled
Senate Bill 1561

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CHAPTER

AN ACT

Relating to the Oregon Military Department; creating new provisions; amending ORS 401.109; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 401.109 is added to and made a part of ORS chapter 401.

SECTION 2. ORS 401.109 is amended to read:

401.109. (1) The Oregon Homeland Security Council is created within the Office of Emergency Management. The council shall:

(a) Receive briefings on security matters:

(A) For which the office is responsible at least annually from state agencies and organizations as determined by the council; and

(B) **Relating to catastrophic disasters declared by the Governor pursuant to section 1, Article X-A of the Oregon Constitution, or states of emergency declared by the Governor pursuant to ORS 401.165.**

(b) Advise state agencies with responsibility for security matters on the future direction of the office's planning, preparedness, response and recovery activities.

(2) The membership of the council [*shall consist*] **consists** of:

(a) Four members from the Legislative Assembly appointed as follows:

(A) Two members from the Senate appointed by the President of the Senate; and

(B) Two members from the House of Representatives appointed by the Speaker of the House of Representatives;

(b) The Governor;

(c) The Adjutant General;

(d) The Superintendent of State Police; **and**

(e) The Director of the Office of Emergency Management. [*; and*]

[*f) Additional members appointed by the Governor who the Governor determines necessary to fulfill the functions of the council, including state agency heads, elected state officials, local government officials, a member of the governing body of an Indian tribe and representatives from the private sector.*]

(3) Each member appointed to the council under subsection (2)(a) [*and (f)*] of this section serves at the pleasure of the appointing authority. The membership of a public official ceases upon termination of the office held by the official at the time of appointment to the council.

(4) The Governor [*shall be*] **is the** chairperson of the council.

(5) The Adjutant General is the vice chairperson of the council and serves as the chairperson in the absence of the Governor.

[(5)] (6) Members of the council are not entitled to compensation under ORS 292.495. [but, at the discretion of the director, may be reimbursed, in the manner and amount provided in ORS 292.495, from funds available to the office] The director, in the director's discretion, may reimburse members of the council as provided in ORS 292.495 for actual and necessary travel [and] or other expenses incurred in the performance of their duties as members of the council.

SECTION 3. Section 1 of this 2012 Act and the amendments to ORS 401.109 by section 2 of this 2012 Act do not become operative unless the revision of the Oregon Constitution proposed by House Joint Resolution 7 (2011) is approved by the people at the regular general election held in November 2012. Section 1 of this 2012 Act and the amendments to ORS 401.109 by section 2 of this 2012 Act become operative on the effective date of that revision.

SECTION 4. This 2012 Act takes effect on the 91st day after the date on which the 2012 regular session of the Seventy-sixth Legislative Assembly adjourns sine die.

Passed by Senate February 17, 2012

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House February 24, 2012

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Received by Governor:

.....M.,....., 2012

Approved:

.....M.,....., 2012

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2012

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Kate Brown, Secretary of State