

Senate Bill 1561

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies duties and membership of Oregon Homeland Security Council.

Becomes operative only if revision of Oregon Constitution authorizing Governor and Legislative Assembly to take specified actions in case of catastrophic disaster is approved by people at next general election.

Takes effect on 91st day after adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to the Oregon Military Department; creating new provisions; amending ORS 401.109; and
3 prescribing an effective date.

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

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

6 **SECTION 2. ORS 401.109 is amended to read:**

7 401.109. (1) The Oregon Homeland Security Council is created within the Office of Emergency
8 Management. The council shall:

9 (a) Receive briefings on security matters:

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

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

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

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

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

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

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

22 (b) The Governor;

23 (c) The Adjutant General;

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

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

26 [*(f) Additional members appointed by the Governor who the Governor determines necessary to ful-*
27 *fill the functions of the council, including state agency heads, elected state officials, local government*
28 *officials, a member of the governing body of an Indian tribe and representatives from the private*

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 *sector.]*

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

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

6 **(5) The Adjutant General is the vice chairperson of the council and serves as the chair-**
 7 **person in the absence of the Governor.**

8 [(5)] (6) Members of the council are not entitled to compensation **under ORS 292.495**. [*but, at*
 9 *the discretion of the director, may be reimbursed, in the manner and amount provided in ORS 292.495,*
 10 *from funds available to the office*] **The director, in the director's discretion, may reimburse**
 11 **members of the council as provided in ORS 292.495** for actual and necessary travel [*and*] **or** other
 12 expenses incurred in the performance of their duties as members of the council.

13 **SECTION 3. Section 1 of this 2012 Act and the amendments to ORS 401.109 by section 2**
 14 **of this 2012 Act do not become operative unless the revision of the Oregon Constitution**
 15 **proposed by House Joint Resolution 7 (2011) is approved by the people at the regular general**
 16 **election held in November 2012. Section 1 of this 2012 Act and the amendments to ORS**
 17 **401.109 by section 2 of this 2012 Act become operative on the effective date of that revision.**

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

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