

REVENUE: No revenue impact**FISCAL: No fiscal impact****Action:** Do Pass and Be Placed on the Consent Calendar**Vote:** 4 - 0 - 1**Yeas:** Beyer, Edwards C., Girod, Riley**Nays:** 0**Exc.:** Thatcher**Prepared By:** Patrick Brennan, Administrator**Meeting Dates:** 3/6, 4/17

WHAT THE MEASURE DOES: Allows a public agency entering in an agreement for joint or cooperative action with a public agency in another state to require the other state's public entity to indemnify the public agency in this state against tort claims.

ISSUES DISCUSSED:

- Types of interstate cooperative efforts to which measure would apply
- Differences in liability laws between states
- Applicability to search and rescue operations

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Public entities in Oregon, including cities, counties, special districts, commissions, authorities, state agencies, and Oregon Health and Science University, may enter into interstate cooperation agreements. These agreements do not relieve the public agency of legal obligations or responsibilities, and all such agreements must be submitted to the Attorney General prior to taking effect. Under interstate cooperative agreements, public agencies may expend funds, and sell or otherwise transfer personnel or services to the other entity.

House Bill 2583 allows a public agency entering into an interstate cooperative agreement to include as part of that agreement a requirement that the other state's agency indemnify the Oregon agency against any tort claims or demands arising out of alleged acts or omissions occurring during performance of an action in the other state.