

## SENATE AMENDMENTS TO RESOLVE CONFLICTS TO B-ENGROSSED HOUSE BILL 2370

By JOINT COMMITTEE ON WAYS AND MEANS

June 24

1 On page 5 of the printed B-engrossed bill, delete lines 4 through 45 and insert:

2 “**SECTION 20.** ORS 401.025, as amended by section 5, chapter 223, Oregon Laws 2007 (Enrolled  
3 Senate Bill 118), is amended to read:

4 “401.025. As used in ORS 401.015 to 401.105, 401.260 to 401.325 and 401.355 to 401.580, unless the  
5 context requires otherwise:

6 “(1) ‘Abnormal disruption of the market’ means any human created or natural event or circum-  
7 stance that causes essential consumer goods or services to be not readily available.

8 “(2) ‘Beneficiary’ has the meaning given that term in ORS 656.005.

9 “(3) ‘Commission’ means the Seismic Safety Policy Advisory Commission established under ORS  
10 401.337.

11 “(4) ‘Emergency’ [*includes any*] **means a** human created or natural event or circumstance  
12 [*causing or threatening*] **that causes or threatens widespread:**

13 “(a) Loss of life[.];

14 “(b) Injury to person or property[.];

15 “(c) Human suffering; or

16 “(d) Financial loss[, *and includes a crisis influx of migrants unmanageable by a county*].

17 “(5) ‘Emergency management agency’ means an organization created and authorized under ORS  
18 401.015 to 401.105, 401.260 to 401.325 and 401.355 to 401.580 by the state, county or city to provide  
19 for and [*assure*] **ensure** the conduct and coordination of functions for comprehensive emergency  
20 program management.

21 “(6) ‘Emergency program management’ includes all the tasks and activities necessary to provide,  
22 support and maintain the ability of the emergency services system to prevent or reduce the impact  
23 of emergency or disaster conditions which includes, but is not limited to, coordinating development  
24 of plans, procedures, policies, fiscal management, coordination with nongovernmental agencies and  
25 organizations, providing for a coordinated communications and alert and notification network and  
26 a public information system, personnel training and development and implementation of exercises to  
27 routinely test the emergency services system.

28 “(7) ‘Emergency program manager’ means the person administering the emergency management  
29 agency of a county or city.

30 “(8) ‘Emergency service agency’ means an organization within a local government which per-  
31 forms essential services for the public’s benefit prior to, during or following an emergency. This in-  
32 cludes, but is not limited to, organizational units within local governments, such as law enforcement,  
33 fire control, health, medical and sanitation services, public works and engineering, public informa-  
34 tion and communications.

35 “(9) ‘Emergency service worker’ means an individual who, under the direction of an emergency

1 service agency or emergency management agency, performs emergency services and:

2 “(a) Is a registered volunteer or independently volunteers to serve without compensation and is  
3 accepted by the Office of Emergency Management or the emergency management agency of a county  
4 or city; or

5 “(b) Is a member of the Oregon State Defense Force acting in support of the emergency services  
6 system.

7 “(10) ‘Emergency services’ includes those activities provided by state and local government  
8 agencies with emergency operational responsibilities to prepare for and carry out any activity to  
9 prevent, minimize, respond to or recover from an emergency. These activities include, without limi-  
10 tation, coordination, preparedness planning, training, interagency liaison, fire fighting, oil or haz-  
11 ardous material spill or release cleanup as defined in ORS 466.605, law enforcement, medical, health  
12 and sanitation services, engineering and public works, search and rescue activities, warning and  
13 public information, damage assessment, administration and fiscal management, and those measures  
14 defined as ‘civil defense’ in 50 U.S.C. app. 2252.

15 “(11) ‘Emergency services system’ means that system composed of all agencies and organizations  
16 involved in the coordinated delivery of emergency services.

17 “(12) ‘Essential consumer goods or services’ means goods or services that:

18 “(a) Are or may be bought or acquired primarily for personal, family or household purposes,  
19 including but not limited to residential construction materials or labor, shelter for payment such as  
20 a hotel room, food, water or petroleum products such as gasoline or diesel fuel; and

21 “(b) Are necessary for the health, safety or welfare of consumers.

22 “(13) ‘Human created or natural event or circumstance’ includes, but is not limited to[,]:

23 “(a) Fire, explosion, flood, severe weather, landslides or mud slides, drought, earthquake,  
24 volcanic activity, tsunamis or other oceanic phenomena, spills or releases of oil or hazardous mate-  
25 rial as defined in ORS 466.605, contamination, utility or transportation emergencies, disease, blight,  
26 infestation, civil disturbance, riot, sabotage, acts of terrorism [or] **and war; and**

27 “(b) **A rapid influx of individuals from outside this state, a rapid migration of individuals**  
28 **from one part of this state to another or a rapid displacement of individuals if the influx,**  
29 **migration or displacement results from the type of event or circumstance described in par-**  
30 **agraph (a) of this subsection.**

31 “(14) ‘Injury’ means any personal injury sustained by an emergency service worker by accident,  
32 disease or infection arising out of and in the course of emergency services or death resulting  
33 proximately from the performance of emergency services.

34 “(15) ‘Local government’ means any governmental entity authorized by the laws of this state.

35 “(16) ‘Major disaster’ means any event defined as a ‘major disaster’ under 42 U.S.C. 5122(2).

36 “(17) ‘Oregon emergency management plan’ means the state emergency preparedness operations  
37 and management plan. The Office of Emergency Management is responsible for coordinating emer-  
38 gency planning with government agencies and private organizations, preparing the plan for the  
39 Governor’s signature, and maintaining and updating the plan as necessary.

40 “(18) ‘Search and rescue’ means the acts of searching for, rescuing or recovering, by means of  
41 ground or marine activity, any person who is lost, injured or killed while out of doors. However,  
42 ‘search and rescue’ does not include air activity in conflict with the activities carried out by the  
43 Oregon Department of Aviation.

44 “(19) ‘Sheriff’ means the chief law enforcement officer of a county.”.

45 On page 6, delete lines 1 through 34.

