

**Enrolled**  
**House Bill 3480**

Sponsored by Representatives SHIELDS, BARTON, MATTHEWS; Representatives BARKER, GELSER, KAHL, KOMP, STIEGLER, VANORMAN, Senator SCHRADER

CHAPTER .....

AN ACT

Relating to chemical exposure of members of the Oregon National Guard; appropriating money; and declaring an emergency.

Whereas members of the Oregon National Guard were called up and honorably served their country, their state and the people of Iraq in Operation Iraqi Freedom; and

Whereas Halliburton Company and its former subsidiaries, including KBR, Kellogg Brown and Root Services and KBR Technical Services, as part of Operation Restore Iraqi Oil (Project RIO), contracted to and were charged with assessment, restoration and protection of personnel at KBR's Qarmat Ali project near Basra, southern Iraq; and

Whereas certain members of the Oregon National Guard while serving at Qarmat Ali were exposed to toxic chemicals, including in particular hexavalent chromium, a component of sodium dichromate, present since at least April 2003; and

Whereas hexavalent chromium, a component of sodium dichromate, is a known, potent toxin with numerous health effects on exposed humans, including respiratory and other cancers; and

Whereas the Oregon Legislative Assembly recognizes and appreciates the service of members of the Oregon National Guard; now, therefore,

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

**SECTION 1. (1) The Oregon Military Department may make payments to members of the Oregon National Guard who develop cancer as a result of exposure to hexavalent chromium while serving in Iraq in 2003. The purposes for which the payments may be made to eligible members of the Oregon National Guard include, but are not limited to, assistance with medical needs not covered by the United States Department of Veterans Affairs, assistance with nonmedical needs or compensation for lost wages.**

**(2) The Oregon Military Department shall adopt rules setting procedures for determining:**

- (a) An individual's eligibility to receive payments; and**
- (b) The amounts and number of payments an eligible individual may receive.**

**(3) If the Oregon Military Department makes a payment under subsection (1) of this section, the department is subrogated, to the extent of the payment, to the rights of the recipient of the payment against any person or other entity that is liable for the exposure to hexavalent chromium that led to the payment made under subsection (1) of this section. The department may commence an appropriate action in any court, in the name of the state, to enforce the rights.**

(4) The Oregon Military Department may not pay any expenses of administering this section out of moneys appropriated to the department for purposes of making payments under this section.

**SECTION 2.** There is appropriated to the Oregon Military Department, for the biennium beginning July 1, 2009, out of the General Fund, the amount of \$30,000 for the purpose of carrying out the provisions of section 1 of this 2009 Act.

**SECTION 3.** This 2009 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect July 1, 2009.

Passed by House June 26, 2009

.....  
Chief Clerk of House

.....  
Speaker of House

Passed by Senate June 29, 2009

.....  
President of Senate

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

.....  
Governor

Filed in Office of Secretary of State:

.....M,....., 2009

.....  
Secretary of State