

## SENATE AMENDMENTS TO SENATE BILL 1559

By COMMITTEE ON VETERANS' AND MILITARY AFFAIRS

February 15

1 On page 1 of the printed bill, line 2, after "ORS" delete the rest of the line and delete line 3  
2 and insert "403.240; and prescribing an effective date."

3 Delete lines 5 through 30 and delete pages 2 through 4 and insert:

4 "**SECTION 1.** ORS 403.240 is amended to read:

5 "403.240. (1) The Office of Emergency Management shall distribute quarterly the entire amount  
6 of the moneys in the Emergency Communications Account. The office shall pay the following  
7 amounts from the account:

8 "(a) Administrative costs incurred during the preceding calendar quarter by the Department of  
9 Revenue in carrying out ORS 403.200 to 403.230 in an amount that does not exceed one-half of one  
10 percent of the amount in the account on the date of distribution, or actual expenses incurred by the  
11 department, whichever is less.

12 "(b) Administrative costs to be incurred during the calendar quarter by the Office of Emergency  
13 Management in carrying out its duties under ORS 305.823 and 403.105 to 403.250. The amount to be  
14 paid under this paragraph may not exceed four percent of the amount in the account on the date  
15 of distribution, and, on or before the next date of distribution, the office shall repay to the account  
16 any amount received under this paragraph that exceeds the actual expenses incurred by the office  
17 in the quarter.

18 "(2) The office may:

19 "(a) Provide funding for the Oregon Emergency Response System in an amount that does not  
20 exceed 15 percent of the legislatively approved budget for the Oregon Emergency Response System  
21 subject to availability of funds within the limit for administrative costs in subsection (1)(b) of this  
22 section.

23 "(b) Prescribe the manner in which funding is provided to the Oregon Emergency Response  
24 System under this subsection.

25 "(3) The office shall use funds in the Enhanced 9-1-1 Subaccount to pay for costs incurred during  
26 the preceding calendar quarter for enhanced 9-1-1 telephone service established pursuant to ORS  
27 403.115. The office may not disburse funds in the Enhanced 9-1-1 Subaccount to a 9-1-1 jurisdiction  
28 that does not have an approved final plan as required in section 7, chapter 743, Oregon Laws 1991.  
29 The office shall make payments for reimbursement only after a reimbursement request has been  
30 submitted to the office in the manner prescribed by the office. Reimbursement requests for recurring  
31 and nonrecurring charges necessary to enable the 9-1-1 jurisdiction to comply with ORS 403.115  
32 must be submitted directly to the office. The costs reimbursable under this subsection are only those  
33 incurred for:

34 "(a) Modification of central office switching and trunking equipment;

35 "(b) Network development, operation and maintenance;

1       “(c) Database development, operation and maintenance;  
2       “(d) On-premises equipment procurement, maintenance and replacement;  
3       “(e) Conversion of pay station telephones required by ORS 403.140;  
4       “(f) Collection of the tax imposed by ORS 403.200 to 403.230; and  
5       “(g) Addressing if the reimbursement request is consistent with rules adopted by the office.  
6       “(4) Subject to availability of funds, the office shall provide funding to 9-1-1 jurisdictions that  
7 have enhanced 9-1-1 telephone service operational prior to December 31, 1991, based on cost infor-  
8 mation provided in their final plan required in section 7, chapter 743, Oregon Laws 1991. The office  
9 shall approve final plans submitted that meet the minimum requirements set forth in ORS 403.115  
10 (2) and (4). The office shall limit funding for costs incurred prior to the preceding calendar quarter  
11 to charges associated with database development, network and on-premises equipment that satisfies  
12 the requirements of ORS 403.115 (2) and (4). The office shall prescribe the manner in which funding  
13 is provided under this subsection.  
14       “(5) 9-1-1 jurisdictions may use funds distributed to the jurisdiction from any account described  
15 in ORS 403.235 to repay loans from the Special Public Works Fund if the loans were used for pur-  
16 poses that are allowable under ORS 403.105 to 403.250.  
17       “(6) The office shall retain amounts remaining in the Enhanced 9-1-1 Subaccount and may dis-  
18 tribute the amounts in a subsequent quarter for those purposes set forth in subsections (3), (4) and  
19 (5) of this section.  
20       “(7) The office shall review reimbursement requests for modification of central office switching  
21 and trunking equipment, conversion of pay station telephones, and network development, operation  
22 and maintenance costs necessary to comply with ORS 403.115 for the appropriateness of the costs  
23 claimed. The office shall approve or disapprove the reimbursement requests.  
24       “(8) The office shall review reimbursement requests for database development, operation and  
25 maintenance, and on-premises equipment procurement, maintenance and replacement costs necessary  
26 to comply with ORS 403.115 for the appropriateness of the costs claimed.  
27       “(9) After all amounts under subsections (1) and (2) of this section and ORS 403.235 (2) have  
28 been paid, the office shall distribute the balance of the Emergency Communications Account to  
29 cities on a per capita basis and to counties on a per capita basis of each county’s unincorporated  
30 area for distribution **directly** to 9-1-1 jurisdictions [*within the city or county*]. However, each county  
31 must receive a minimum of one percent of the balance of the account after the amounts under sub-  
32 sections (1) and (2) of this section and ORS 403.235 (2) have been paid. [*A city or county shall pay*  
33 *each 9-1-1 jurisdiction whose 9-1-1 service area includes all or part of the city or county.*]  
34       “[(10) Notwithstanding subsection (9) of this section, a city or county may have its quarterly dis-  
35 tribution made payable and sent to the 9-1-1 jurisdiction responsible for providing the services required  
36 in ORS 403.115.]  
37       “[(11)] (10) 9-1-1 jurisdictions shall submit an accounting report to the office annually. The re-  
38 port must be provided in the manner prescribed by the office and must include but not be limited  
39 to:  
40       “(a) Funds received and expended under subsection (9) [*or (10)*] of this section for the purposes  
41 of fulfilling the requirements of ORS 403.115;  
42       “(b) Local funds received and expended for the purposes of fulfilling the requirements of ORS  
43 403.115; and  
44       “(c) Local funds received and expended for the purposes of providing emergency communications  
45 services.

1        **“SECTION 2. The amendments to ORS 403.240 by section 1 of this 2012 Act apply to dis-**  
2        **tributions from the Emergency Communications Account on or after January 1, 2013.**

3        **“SECTION 3. This 2012 Act takes effect on the 91st day after the date on which the 2012**  
4        **regular session of the Seventy-sixth Legislative Assembly adjourns sine die.”.**

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