

**PROPOSED AMENDMENTS TO
SENATE BILL 813**

1 On page 1 of the printed bill, line 3, before “401.092” insert “285A.093,
2 286A.760, 286A.762, 286A.766, 286A.768, 286A.780, 286A.782, 286A.786,
3 286A.788,”.

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

6 **“SEISMIC REHABILITATION**

7
8 **“SECTION 1.** ORS 401.910 is amended to read:

9 “401.910. (1) [*The Director of the Office of Emergency Management, pursu-*
10 *ant to the authority to administer grant programs for seismic rehabilitation*
11 *provided in ORS 401.092,*] **The Oregon Business Development Depart-**
12 **ment** shall develop a grant program for the disbursement of funds for the
13 seismic rehabilitation of critical public buildings, including hospital
14 buildings with acute inpatient care facilities, fire stations, police stations,
15 sheriffs’ offices, other facilities used by state, county, district or municipal
16 law enforcement agencies and buildings with a capacity of 250 or more per-
17 sons that are routinely used for student activities by kindergarten through
18 grade 12 public schools, community colleges, education service districts and
19 institutions of higher education. **The Oregon Infrastructure Finance Au-**
20 **thority established in the department by ORS 285A.096 shall administer**
21 **the grant program developed under this section.** The funds for the seis-
22 mic rehabilitation of critical public buildings under the grant program are

1 to be provided from the issuance of bonds pursuant to the authority provided
2 in Articles XI-M and XI-N of the Oregon Constitution.

3 “(2) The grant program shall include the appointment of a grant commit-
4 tee. The grant committee may be composed of any number of persons with
5 qualifications that the [*director*] **authority** determines necessary. However,
6 the [*director*] **authority** shall include persons with experience in adminis-
7 tering state grant programs and representatives of entities with responsibil-
8 ity over critical public buildings. The [*director*] **authority** shall also include
9 as permanent members representatives of:

10 “(a) The [*Department of Human Services*] **Office of Emergency Man-**
11 **agement;**

12 “(b) The State Department of Geology and Mineral Industries;

13 “(c) The Seismic Safety Policy Advisory Commission;

14 “(d) The Oregon Department of Administrative Services;

15 “(e) The Department of Education;

16 “(f) The Oregon Health Authority;

17 “(g) The Oregon Fire Chiefs Association;

18 “(h) The Oregon Association Chiefs of Police; [*and*]

19 “(i) The Oregon Association of Hospitals and Health Systems; **and**

20 **“(j) The Confederation of Oregon School Administrators.**

21 “(3) The [*director*] **authority** shall determine the form and method of ap-
22 plying for grants from the grant program, the eligibility requirements for
23 grant applicants, and general terms and conditions of the grants. The [*di-*
24 *rector*] **authority** shall also provide that the grant committee review grant
25 applications and make a determination of funding based on a scoring system
26 that is directly related to the statewide needs assessment performed by the
27 State Department of Geology and Mineral Industries. Additionally, the grant
28 process may:

29 “(a) Require that the grant applicant provide matching funds for com-
30 pletion of any seismic rehabilitation project.

1 “(b) Provide authority to the grant committee to waive requirements of
2 the grant program based on special circumstances such as proximity to fault
3 hazards, community value of the structure, emergency functions provided by
4 the structure and storage of hazardous materials.

5 “(c) Allow an applicant to appeal any determination of grant funding to
6 the [*director*] **authority** for reevaluation.

7 “(d) Provide that applicants release the state, the [*director*] **authority** and
8 the grant committee from any claims of liability for providing funding for
9 seismic rehabilitation.

10 “(e) Provide separate rules for funding rehabilitation of structural and
11 nonstructural building elements.

12 “(4) Subject to the grant rules established by the [*director*] **authority** and
13 subject to reevaluation by the [*director*] **authority**, the grant committee has
14 the responsibility to review and make determinations on grant applications
15 under the grant program established pursuant to this section.

16 “**SECTION 2.** ORS 401.092 is amended to read:

17 “401.092. (1) The Director of the Office of Emergency Management is re-
18 sponsible for coordinating and facilitating exercises and training, emergency
19 planning, preparedness, response, mitigation and recovery activities with the
20 state and local emergency services agencies and organizations, and shall,
21 with the approval of the Adjutant General or as directed by the Governor:

22 “(a) Make rules that are necessary and proper for the administration and
23 implementation of this chapter;

24 “(b) Coordinate the activities of all public and private organizations spe-
25 cifically related to providing emergency services within this state;

26 “(c) Maintain a cooperative liaison with emergency management agencies
27 and organizations of local governments, other states and the federal govern-
28 ment;

29 “(d) Have such additional authority, duties and responsibilities authorized
30 by this chapter or as may be directed by the Governor;

1 “(e) Administer grants relating to emergency program management under
2 ORS 401.305, [*seismic rehabilitation*,] emergency services for the state and the
3 statewide 2-1-1 system as provided in ORS 403.430;

4 “(f) Provide for and staff a State Emergency Operations Center to aid the
5 Governor and the Office of Emergency Management in the performance of
6 duties under this chapter;

7 “(g) Serve as the Governor’s authorized representative for coordination
8 of certain response activities and managing the recovery process;

9 “(h) Establish training and professional standards for local emergency
10 program management personnel;

11 “(i) Establish task forces and advisory groups to assist the office in
12 achieving mandated responsibilities;

13 “(j) Enforce compliance requirements of federal and state agencies for
14 receiving funds and conducting designated emergency functions;

15 “(k) Oversee the design, implementation and support of a statewide 2-1-1
16 system as provided under ORS 403.415; and

17 “(L) Coordinate the activities of state and local governments to enable
18 state and local governments to work together during domestic incidents as
19 provided in the National Incident Management System established by the
20 Homeland Security Presidential Directive 5 of February 28, 2003.

21 “(2) Notwithstanding subsection (1) of this section, the State Forester
22 shall serve as the Governor’s authorized representative for the purpose of
23 initiating the fire management assistance declaration process with the Fed-
24 eral Emergency Management Agency and administering Federal Emergency
25 Management Agency fire management assistance grants.

26 “**SECTION 3.** ORS 285A.093 is amended to read:

27 “285A.093. The Oregon Infrastructure Finance Authority Board shall:

28 “(1) Serve as a body to advise municipalities, state agencies and private
29 persons on the development and implementation of state policies and pro-
30 grams relating to the infrastructure needs of this state and its communities.

1 “(2) Advise the Governor, the Oregon Business Development Commission,
2 the Director of the Oregon Business Development Department and the
3 Oregon Business Development Department on matters identified by the com-
4 mission as being of interest to the Governor, the commission, the director
5 and the department that relate to infrastructure and public works programs
6 administered, and actions taken, by the Oregon Infrastructure Finance Au-
7 thority.

8 “(3) Provide the commission with the opportunity to comment and provide
9 direction on matters relating to infrastructure and public works programs
10 administered, and actions taken, by the authority.

11 “(4) Seek and receive the views of all levels of government and the private
12 sector with respect to state policies and programs to address the
13 infrastructure needs of this state.

14 “(5) Prepare and submit to the director suggested administrative rules
15 that the board determines are necessary for the operation of the programs
16 under the direction of the authority.

17 “(6) Establish policies and procedures for loan and grant programs ad-
18 ministered by the authority, **except for the seismic rehabilitation grant**
19 **program administered under ORS 401.910.**

20 **“SECTION 4.** ORS 286A.760 is amended to read:

21 “286A.760. As used in ORS 286A.760 to 286A.772, unless the context re-
22 quires otherwise:

23 “(1) ‘Article XI-M bonds’ means general obligation bonds or other general
24 obligation indebtedness issued or incurred under the authority of Article
25 XI-M of the Oregon Constitution.

26 “(2) ‘Bond administration fund’ means the Article XI-M Bond Adminis-
27 tration Fund established under ORS 286A.766.

28 “(3) ‘Bond fund’ means the Article XI-M Bond Fund established under
29 ORS 286A.764.

30 “(4) ‘Bond-related costs’ means:

1 “(a) The costs of paying the principal of, the interest on and the premium,
2 if any, on Article XI-M bonds;

3 “(b) The costs and expenses of issuing, administering and maintaining
4 Article XI-M bonds including, but not limited to, redeeming Article XI-M
5 bonds and paying amounts due in connection with bond insurance, other
6 credit enhancements or the administrative costs and expenses of the State
7 Treasurer and the Oregon Department of Administrative Services, including
8 costs of consultants or advisers retained by the State Treasurer or the de-
9 partment for the purpose of issuing, administering or maintaining Article
10 XI-M bonds;

11 “(c) Capitalized interest on Article XI-M bonds;

12 “(d) Costs of funding reserves for Article XI-M bonds, including costs of
13 surety bonds and similar instruments;

14 “(e) Rebates or penalties due the United States Government in connection
15 with Article XI-M bonds; and

16 “(f) Other costs or expenses that the Director of the Oregon Department
17 of Administrative Services determines are necessary or desirable in con-
18 nection with issuing, administering or maintaining Article XI-M bonds.

19 “(5) ‘Seismic fund’ means the Education Seismic Fund established under
20 ORS 286A.768.

21 “(6) ‘State share of costs’ means the total costs and related expenses of
22 the seismic rehabilitation of public education buildings, minus contributions
23 for seismic rehabilitation from the applicants as required by the [*Office of*
24 *Emergency Management*] **Oregon Business Development Department**.

25 “**SECTION 5.** ORS 286A.762 is amended to read:

26 “286A.762. (1) Article XI-M bonds are a general obligation of the State
27 of Oregon and must contain a direct promise on behalf of the State of Oregon
28 to pay the principal of, the interest on and the premium, if any, on the Ar-
29 ticle XI-M bonds. The State of Oregon shall pledge its full faith and credit
30 and taxing power to pay Article XI-M bonds, except that the ad valorem

1 taxing power of the State of Oregon may not be pledged to pay Article XI-M
2 bonds.

3 “(2) The State Treasurer, with the concurrence of the Director of the
4 Oregon Department of Administrative Services, may issue Article XI-M bonds
5 as provided in this chapter, subject to the limit on bond issuance established
6 for the particular biennium pursuant to ORS 286A.035 and at the request of
7 the [*Director of the Office of Emergency Management*] **Director of the**
8 **Oregon Business Development Department**, for the purpose of financing
9 all or a portion of the state share of costs to plan and implement seismic
10 rehabilitation of public education buildings in the amount of the state share
11 of costs, plus an amount determined by the State Treasurer to pay estimated
12 bond-related costs.

13 “(3) The State Treasurer shall transfer the net proceeds of Article XI-M
14 bonds issued for the purpose described in subsection (2)(a) of this section to
15 the [*Office of Emergency Management*] **Oregon Business Development De-**
16 **partment** for deposit in the Education Seismic Fund established under ORS
17 286A.768.

18 **“SECTION 6.** ORS 286A.766 is amended to read:

19 “286A.766. (1) The Article XI-M Bond Administration Fund is established
20 in the State Treasury, separate and distinct from the General Fund. Amounts
21 in the bond administration fund may be invested as provided in ORS 293.701
22 to 293.820, and interest earned on the bond administration fund must be
23 credited to the bond administration fund. Amounts credited to the bond ad-
24 ministration fund are continuously appropriated to the Oregon Department
25 of Administrative Services for payment of bond-related costs. The department
26 shall credit to the bond administration fund:

27 “(a) Proceeds of Article XI-M bonds that were issued to pay bond-related
28 costs;

29 “(b) Amounts appropriated or otherwise provided by the Legislative As-
30 sembly for deposit in the bond administration fund; and

1 “(c) Amounts transferred from the Education Seismic Fund by the [*Office*
2 *of Emergency Management*] **Oregon Business Development Department**
3 as provided in ORS 286A.768.

4 “(2) The **Oregon Department of Administrative Services** may create
5 separate accounts in the bond administration fund.

6 “**SECTION 7.** ORS 286A.768 is amended to read:

7 “286A.768. (1) The Education Seismic Fund is established in the State
8 Treasury, separate and distinct from the General Fund. Amounts in the
9 seismic fund may be invested as provided in ORS 293.701 to 293.820, and in-
10 terest earned on the seismic fund must be credited to the seismic fund.
11 Amounts credited to the seismic fund are continuously appropriated to the
12 [*Office of Emergency Management*] **Oregon Business Development De-**
13 **partment** for the purpose described in ORS 286A.762 (2) and for the purpose
14 of paying bond-related costs. The [*office*] **department** shall deposit in the
15 seismic fund:

16 “(a) The net proceeds of Article XI-M bonds transferred pursuant to ORS
17 286A.762 (3);

18 “(b) Amounts appropriated or otherwise provided by the Legislative As-
19 sembly for deposit in the seismic fund;

20 “(c) Gifts, grants or contributions received by the [*office*] **department** for
21 the purpose described in ORS 286A.762 (2); and

22 “(d) Moneys received as repayment of, as a return on or in exchange for
23 the grant or loan of net proceeds of Article XI-M bonds.

24 “(2) The [*office*] **department** may create separate accounts in the seismic
25 fund as appropriate for the management of moneys in the seismic fund.

26 “(3) The [*office*] **department** and any other state agency or other entity
27 receiving or holding net proceeds of Article XI-M bonds shall, at the direc-
28 tion of the Oregon Department of Administrative Services, take action nec-
29 essary to maintain the excludability of interest on Article XI-M bonds from
30 gross income under the Internal Revenue Code.

1 “(4) The [*office*] **department** shall transfer to the Article XI-M Bond
2 Administration Fund the unexpended and uncommitted amounts remaining
3 in the seismic fund if:

4 “(a) Unexpended funds that are not contractually committed to a partic-
5 ular purpose remain in the seismic fund on the last day of the biennium; and

6 “(b) Article XI-M bonds will be outstanding in the next biennium.

7 “(5) The [*office*] **department** may adopt rules to carry out this section
8 including, but not limited to, establishing:

9 “(a) Required contributions from applicants;

10 “(b) Fees;

11 “(c) Standards, terms and conditions under which moneys in the seismic
12 fund may be granted, loaned or otherwise made available; and

13 “(d) Procedures for distributing and monitoring the use of moneys from
14 the seismic fund.

15 **“SECTION 8.** ORS 286A.780 is amended to read:

16 “286A.780. As used in ORS 286A.780 to 286A.792, unless the context re-
17 quires otherwise:

18 “(1) ‘Article XI-N bonds’ means general obligation bonds or other general
19 obligation indebtedness issued or incurred under the authority of Article
20 XI-N of the Oregon Constitution.

21 “(2) ‘Bond administration fund’ means the Article XI-N Bond Adminis-
22 tration Fund established under ORS 286A.786.

23 “(3) ‘Bond fund’ means the Article XI-N Bond Fund established under ORS
24 286A.784.

25 “(4) ‘Bond-related costs’ means:

26 “(a) The costs of paying the principal of, the interest on and the premium,
27 if any, on Article XI-N bonds;

28 “(b) The costs and expenses of issuing, administering and maintaining
29 Article XI-N bonds including, but not limited to, redeeming Article XI-N
30 bonds and paying amounts due in connection with bond insurance, other

1 credit enhancements or the administrative costs and expenses of the State
2 Treasurer and the Oregon Department of Administrative Services, including
3 costs of consultants or advisers retained by the State Treasurer or the de-
4 partment for the purpose of issuing, administering or maintaining Article
5 XI-N bonds;

6 “(c) Capitalized interest on Article XI-N bonds;

7 “(d) Costs of funding reserves for Article XI-N bonds, including costs of
8 surety bonds and similar instruments;

9 “(e) Rebates or penalties due the United States Government in connection
10 with Article XI-N bonds; and

11 “(f) Other costs or expenses that the Director of the Oregon Department
12 of Administrative Services determines are necessary or desirable in con-
13 nection with issuing, administering or maintaining Article XI-N bonds.

14 “(5) ‘Seismic fund’ means the Emergency Services Seismic Fund estab-
15 lished under ORS 286A.788.

16 “(6) ‘State share of costs’ means the total costs and related expenses of
17 the seismic rehabilitation of emergency services buildings, minus contribu-
18 tions for seismic rehabilitation from the applicants as required by the [*Office*
19 *of Emergency Management*] **Oregon Business Development Department.**

20 “**SECTION 9.** ORS 286A.782 is amended to read:

21 “286A.782. (1) Article XI-N bonds are a general obligation of the State of
22 Oregon and must contain a direct promise on behalf of the State of Oregon
23 to pay the principal of, the interest on and the premium, if any, on the Ar-
24 ticle XI-N bonds. The State of Oregon shall pledge its full faith and credit
25 and taxing power to pay Article XI-N bonds, except that the ad valorem
26 taxing power of the State of Oregon may not be pledged to pay Article XI-N
27 bonds.

28 “(2) The State Treasurer, with the concurrence of the Director of the
29 Oregon Department of Administrative Services, may issue Article XI-N bonds
30 as provided in this chapter, subject to the limit on bond issuance established

1 for the particular biennium pursuant to ORS 286A.035 and at the request of
2 the Director of the [*Office of Emergency Management*] **Oregon Business**
3 **Development Department**, for the purpose of financing all or a portion of
4 the state share of costs to plan and implement seismic rehabilitation of
5 emergency services buildings in the amount of the state share of costs, plus
6 an amount determined by the State Treasurer to pay estimated bond-related
7 costs.

8 “(3) The State Treasurer shall transfer the net proceeds of Article XI-N
9 bonds issued for the purpose described in subsection (2)(a) of this section to
10 the [*Office of Emergency Management*] **Oregon Business Development De-**
11 **partment** for deposit in the Emergency Services Seismic Fund established
12 under ORS 286A.788.

13 **“SECTION 10.** ORS 286A.786 is amended to read:

14 “286A.786. (1) The Article XI-N Bond Administration Fund is established
15 in the State Treasury, separate and distinct from the General Fund. Amounts
16 in the bond administration fund may be invested as provided in ORS 293.701
17 to 293.820, and interest earned on the bond administration fund must be
18 credited to the bond administration fund. Amounts credited to the bond ad-
19 ministration fund are continuously appropriated to the Oregon Department
20 of Administrative Services for payment of bond-related costs. The department
21 shall credit to the bond administration fund:

22 “(a) Proceeds of Article XI-N bonds that were issued to pay bond-related
23 costs;

24 “(b) Amounts appropriated or otherwise provided by the Legislative As-
25 sembly for deposit in the bond administration fund; and

26 “(c) Amounts transferred from the Emergency Services Seismic Fund by
27 the [*Office of Emergency Management*] **Oregon Business Development De-**
28 **partment** as provided in ORS 286A.788.

29 “(2) The **Oregon Department of Administrative Services** may create
30 separate accounts in the bond administration fund.

1 **“SECTION 11.** ORS 286A.788 is amended to read:

2 “286A.788. (1) The Emergency Services Seismic Fund is established in the
3 State Treasury, separate and distinct from the General Fund. Amounts in the
4 seismic fund may be invested as provided in ORS 293.701 to 293.820, and in-
5 terest earned on the seismic fund must be credited to the seismic fund.
6 Amounts credited to the seismic fund are continuously appropriated to the
7 *[Office of Emergency Management]* **Oregon Business Development De-**
8 **partment** for the purpose described in ORS 286A.782 (2) and for the purpose
9 of paying bond-related costs. The *[office]* **department** shall deposit in the
10 seismic fund:

11 “(a) The net proceeds of Article XI-N bonds transferred pursuant to ORS
12 286A.782 (3);

13 “(b) Amounts appropriated or otherwise provided by the Legislative As-
14 sembly for deposit in the seismic fund;

15 “(c) Gifts, grants or contributions received by the *[office]* **department** for
16 the purpose described in ORS 286A.782 (2); and

17 “(d) Moneys received as repayment of, as a return on or in exchange for
18 the grant or loan of net proceeds of Article XI-N bonds.

19 “(2) The *[office]* **Oregon Business Development Department** may create
20 separate accounts in the seismic fund as appropriate for the management of
21 moneys in the seismic fund.

22 “(3) The *[office]* **Oregon Business Development Department** and any
23 other state agency or other entity receiving or holding net proceeds of Ar-
24 ticle XI-N bonds shall, at the direction of the Oregon Department of Ad-
25 ministrative Services, take action necessary to maintain the excludability of
26 interest on Article XI-N bonds from gross income under the Internal Revenue
27 Code.

28 “(4) The *[office]* **Oregon Business Development Department** shall
29 transfer to the Article XI-N Bond Administration Fund the unexpended and
30 uncommitted amounts remaining in the seismic fund if:

1 “(a) Unexpended funds that are not contractually committed to a partic-
2 ular purpose remain in the seismic fund on the last day of the biennium; and

3 “(b) Article XI-N bonds will be outstanding in the next biennium.

4 “(5) The [*office*] **Oregon Business Development Department** may adopt
5 rules to carry out this section including, but not limited to, establishing:

6 “(a) Required contributions from applicants;

7 “(b) Fees;

8 “(c) Standards, terms and conditions under which moneys in the seismic
9 fund may be granted, loaned or otherwise made available; and

10 “(d) Procedures for distributing and monitoring the use of moneys from
11 the seismic fund.

12
13 **“TRANSFER**

14
15 **“SECTION 12. The duties, functions and powers of the Director of**
16 **the Office of Emergency Management relating to seismic rehabili-**
17 **tation of critical public buildings under the grant program described**
18 **in ORS 401.910 are imposed upon, transferred to and vested in the**
19 **Oregon Business Development Department.**

20
21 **“RECORDS, PROPERTY, EMPLOYEES**

22
23 **“SECTION 13. (1) The Director of the Office of Emergency Man-**
24 **agement shall:**

25 “(a) Deliver to the Oregon Business Development Department all
26 records and property within the jurisdiction of the director that relate
27 to the duties, functions and powers transferred by section 12 of this
28 2013 Act; and

29 “(b) Transfer to the department those employees engaged primarily
30 in the exercise of the duties, functions and powers transferred by

1 section 12 of this 2013 Act.

2 “(2) The Director of the Oregon Business Development Department
3 shall take possession of the records and property, and shall take
4 charge of the employees and employ them in the exercise of the duties,
5 functions and powers transferred by section 12 of this 2013 Act, with-
6 out reduction of compensation but subject to change or termination
7 of employment or compensation as provided by law.

8 “(3) The Governor shall resolve any dispute between the Director
9 of the Office of Emergency Management and the Oregon Business
10 Development Department relating to transfers of records, property or
11 employees under this section, and the Governor’s decision is final.

12

13 “UNEXPENDED REVENUES

14

15 “SECTION 14. (1) The unexpended balances of amounts authorized
16 to be expended by the Director of the Office of Emergency Manage-
17 ment for the biennium beginning July 1, 2013, from revenues dedi-
18 cated, continuously appropriated, appropriated or otherwise made
19 available for the purpose of administering and enforcing the duties,
20 functions and powers transferred by section 12 of this 2013 Act are
21 transferred to and are available for expenditure by the Oregon Busi-
22 ness Development Department for the biennium beginning July 1, 2013,
23 for the purpose of administering and enforcing the duties, functions
24 and powers transferred by section 12 of this 2013 Act.

25 “(2) The expenditure classifications, if any, established by Acts au-
26 thorizing or limiting expenditures by the director remain applicable to
27 expenditures by the department under this section.

28

29 “ACTION, PROCEEDING, PROSECUTION

30

1 **“SECTION 15. The transfer of duties, functions and powers to the**
2 **Oregon Business Development Department by section 12 of this 2013**
3 **Act does not affect any action, proceeding or prosecution involving or**
4 **with respect to such duties, functions and powers begun before and**
5 **pending at the time of the transfer, except that the Oregon Business**
6 **Development Department is substituted for the Director of the Office**
7 **of Emergency Management in the action, proceeding or prosecution.**

8
9 **“LIABILITY, DUTY, OBLIGATION**

10
11 **“SECTION 16. (1) Nothing in sections 12 to 18 of this 2013 Act and**
12 **the amendments to ORS 285A.093, 286A.760, 286A.762, 286A.766,**
13 **286A.768, 286A.780, 286A.782, 286A.786, 286A.788, 401.092 and 401.910 by**
14 **sections 1 to 11 of this 2013 Act relieves a person of a liability, duty**
15 **or obligation accruing under or with respect to the duties, functions**
16 **and powers transferred by section 12 of this 2013 Act. The Oregon**
17 **Business Development Department may undertake the collection or**
18 **enforcement of any such liability, duty or obligation.**

19 **“(2) The rights and obligations of the Director of the Office of**
20 **Emergency Management legally incurred under contracts, leases and**
21 **business transactions executed, entered into or begun before the op-**
22 **erative date of section 12 of this 2013 Act accruing under or with re-**
23 **spect to the duties, functions and powers transferred by section 12 of**
24 **this 2013 Act are transferred to the department. For the purpose of**
25 **succession to these rights and obligations, the department is a con-**
26 **tinuation of the director and not a new authority.**

27
28 **“RULES**

29
30 **“SECTION 17. Notwithstanding the transfer of duties, functions and**

1 powers by section 12 of this 2013 Act, the rules of the Director of the
2 Office of Emergency Management with respect to such duties, func-
3 tions or powers that are in effect on the operative date of section 12
4 of this 2013 Act continue in effect until superseded or repealed by rules
5 of the Oregon Business Development Department. References in such
6 rules of the director to the director or the Office of Emergency Man-
7 agement or to an officer or employee of the office are considered to
8 be references to the department or to an officer or employee of the
9 department.

10 **“SECTION 18.** Whenever, in any uncodified law or resolution of the
11 Legislative Assembly or in any rule, document, record or proceeding
12 authorized by the Legislative Assembly, in the context of the duties,
13 functions and powers transferred by section 12 of this 2013 Act, refer-
14 ence is made to the Director of the Office of Emergency Management,
15 to the Office of Emergency Management or to an officer or employee
16 of the office, whose duties, functions or powers are transferred by
17 section 12 of this 2013 Act, the reference is considered to be a reference
18 to the Oregon Business Development Department or to an officer or
19 employee of the department who by this 2013 Act is charged with car-
20 rying out such duties, functions and powers.

21

22

“OPERATIVE DATE

23

24 **“SECTION 19.** Sections 12 to 18 of this 2013 Act and the amendments
25 to ORS 285A.093, 286A.760, 286A.762, 286A.766, 286A.768, 286A.780,
26 286A.782, 286A.786, 286A.788, 401.092 and 401.910 by sections 1 to 11 of
27 this 2013 Act become operative on January 1, 2014.

28

29

“UNIT CAPTIONS

30

1 **SECTION 20. The unit captions used in this 2013 Act are provided**
2 **only for the convenience of the reader and do not become part of the**
3 **statutory law of this state or express any legislative intent in the**
4 **enactment of this 2013 Act.**

5

6

“EMERGENCY CLAUSE

7

8 **SECTION 21. This 2013 Act being necessary for the immediate**
9 **preservation of the public peace, health and safety, an emergency is**
10 **declared to exist, and this 2013 Act takes effect on its passage.”.**

11
