

**PROPOSED AMENDMENTS TO
HOUSE BILL 3225**

1 On page 1 of the printed bill, line 2, after “materials;” delete the rest of
2 the line and delete lines 3 and 4 and insert “and declaring an emergency.”.

3 Delete lines 6 through 22 and delete pages 2 through 12 and insert:

4 **“SECTION 1. Section 2 of this 2015 Act is added to and made a part**
5 **of ORS 453.307 to 453.414.**

6 **“SECTION 2. (1) As part of the plan for the effective implementa-**
7 **tion of a statewide hazardous material emergency response system**
8 **established by rule under ORS 453.374, the State Fire Marshal shall**
9 **adopt by rule a plan for the coordinated response to oil or hazardous**
10 **material spills or releases that occur during rail transport. The plan**
11 **adopted under this subsection:**

12 **“(a) Shall address with a specific focus on oil or hazardous material**
13 **spills or releases that occur during rail transport all required pro-**
14 **visions under ORS 453.374;**

15 **“(b) May include requirements and incentives for local governments**
16 **and other responders to participate in ongoing training programs;**

17 **“(c) Shall provide a system for identifying where hazardous mate-**
18 **rial response materials owned by railroads are located throughout this**
19 **state and how access to those materials is to be coordinated; and**

20 **“(d) May include any other information deemed necessary by the**
21 **office of the State Fire Marshal to provide coordinated response to oil**
22 **or hazardous material spills or releases that occur during rail trans-**

1 port.

2 “(2) The office of the State Fire Marshal shall annually coordinate
3 with local governments, other state agencies involved in hazardous
4 material emergency response, other responders and representatives of
5 the railroad industry to prepare a report on the coordinated response
6 plan adopted under this section and shall:

7 “(a) Make the report available as an appendix to the Office of
8 Emergency Management’s oil and hazardous material response emer-
9 gency operations plan developed pursuant to ORS 401.092; and

10 “(b) No later than February 1 of each year, submit the report to the
11 Legislative Assembly in the manner provided in ORS 192.245.

12 “(3) The report required by subsection (2) of this section shall in-
13 clude, but need not be limited to, the following in relation to oil and
14 hazardous material emergency response for rail transport:

15 “(a) An inventory of all emergency response resources available in
16 this state, including information on:

17 “(A) The location of, and the means of access to, the resources;

18 “(B) Whether the resources are publicly or privately maintained;
19 and

20 “(C) Additional resources that are needed to provide for adequate
21 response;

22 “(b) Suggested changes to the structure for the continued coordi-
23 nation between state agencies and industry;

24 “(c) Possible revisions to the response roles or responsibilities of
25 state agencies, local governments and railroads; and

26 “(d) Strategies for ensuring adequate funding at the state and local
27 government levels to cover the training, equipment and administrative
28 costs associated with providing comprehensive response and equip-
29 ment.

30 “SECTION 3. Sections 1 and 2 of this 2015 Act become operative on

1 **January 1, 2016.**

2 **“SECTION 4. (1) The Oil and Hazardous Material Transportation by**
3 **Rail Action Fund is established in the State Treasury, separate and**
4 **distinct from the General Fund. The Oil and Hazardous Material**
5 **Transportation by Rail Action Fund shall consist of all moneys placed**
6 **in the fund as provided by law and any gifts, grants, donations,**
7 **endowments or bequests from any public or private source. Interest**
8 **earned by the fund shall be credited to the fund.**

9 **“(2) All moneys in the fund are continuously appropriated to the**
10 **Department of State Police for use by the office of the State Fire**
11 **Marshal only for the payment of costs associated with the development**
12 **and effective implementation of the plan adopted under section 2 of**
13 **this 2015 Act for the coordinated response to oil or hazardous material**
14 **spills or releases that occur during rail transport.**

15 **“SECTION 5. This 2015 Act being necessary for the immediate**
16 **preservation of the public peace, health and safety, an emergency is**
17 **declared to exist, and this 2015 Act takes effect on its passage.”.**

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