

## Legislative Fiscal Office

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## Joint Committee on Ways and Means

Sen. Richard Devlin, Senate Co-Chair  
Rep. Nancy Nathanson, House Co-Chair

Sen. Betsy Johnson, Senate Co-Vice Chair  
Sen. Jackie Winters, Senate Co-Vice Chair  
Rep. Dan Rayfield, House Co-Vice Chair  
Rep. Greg Smith, House Co-Vice Chair

**To:** Public Safety Subcommittee

**From:** Julie Neburka, Legislative Fiscal Office

**Date:** Tuesday, June 27, 2017

**Subject:** HB 2131 Relating to safe transport of hazardous materials  
Work Session Recommendations

House Bill 2131 directs the State Fire Marshal to include in its existing plan for hazardous material emergency response, the location of oil or hazardous material spill or release response resources owned by railroads, and the implementation of a full-scale, multiagency, multijurisdictional, and multidisciplinary oil or hazardous material spill or release training exercise. Additionally, the bill directs railroads operating in this state to provide certain information to the State Fire Marshal, and requires rail carriers to demonstrate proof of their financial responsibility to pay the cost to clean up a worst-case spill, as specified in the bill.

The bill also directs the Environmental Quality Commission to adopt standards for the preparation of contingency plans for high hazard train routes, and mandates that owners and operators of a high hazard train route must submit an oil spill prevention and emergency response plan to the Department of Environmental Quality (DEQ).

The Department of Transportation (ODOT) notes that there are funds available under ORS 824.010 from fees assessed to railroads on their gross annual operating revenue that could be used to support DEQ's work under HB 2131. ODOT anticipates a one-time transfer of \$600,000 Other Funds to DEQ in 2017-19 to fund the work required. DEQ will utilize the monies from ODOT to fund two limited duration Natural Resource Specialist 4's to accomplish the work required.

The measure has a proposed -A10 amendment that restores the definition of "applicable rail carriers" for the purposes of Section 3 of the A-engrossed bill.

The measure has a proposed -A11 amendment that appropriates \$318,044 General Fund to the Oregon State Police State Fire Marshal for a full-time Training and Development Specialist 2 position (0.75 FTE). Additionally, the amendment includes a transfer of \$600,000 Other Funds from ODOT to DEQ to fund two limited duration Natural Resource Specialist 4 positions (1.75 FTE).

**Recommended Changes**

The -A10 amendment restores the definition of “applicable rail carriers” for the purposes of Section 3 of the A-engrossed bill.

**MOTION: I move adoption of the -A10 amendment to HB 2131. (VOTE)**

The -A11 amendment includes \$318,044 General Fund to OSP, \$600,000 Other Funds revenue transfer from ODOT to DEQ, and \$600,000 Other Funds expenditure limitation for DEQ.

LFO recommends adoption of the -A11 amendment.

**MOTION: I move adoption of the -A11 amendment to HB 2131. (VOTE)**

**Final Subcommittee Action**

LFO recommends that HB 2131, as amended, to be moved to the Ways and Means Full Committee.

**MOTION: I move HB 2131, as amended, to the Full Committee with a do pass recommendation. (VOTE)**

**Carriers**

Full Committee: \_\_\_\_\_

House Floor: \_\_\_\_\_

Senate Floor: \_\_\_\_\_