

HB 2131 B BUDGET REPORT and MEASURE SUMMARY

Carrier: Rep. Smith Warner

Joint Committee On Ways and Means

Action Date: 06/28/17

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

House Vote

Yeas: 11 - Gomberg, Holvey, Huffman, McLane, Nathanson, Rayfield, Smith G, Smith Warner, Stark, Whisnant, Williamson

Senate Vote

Yeas: 11 - DeBoer, Devlin, Frederick, Hansell, Johnson, Manning Jr, Monroe, Roblan, Steiner Hayward, Thomsen, Winters

Nays: 1 - Girod

Prepared By: Cathleen Connolly, Department of Administrative Services

Reviewed By: Julie Neburka Legislative Fiscal Office

Department of State Police, State Fire Marshal

2017-19

Department of Environmental Quality

2017-19

Budget Summary

	2015-17	2017-19	2017-19	Committee Change from	
	Legislatively Approved Budget	Current Service Level	Committee Recommendation	2015-17 Leg. Approved	
				\$ Change	% Change
Oregon State Police					
General Fund	\$ -	\$ -	\$ 318,044	\$ 318,044	100.0%
Department of Environmental Quality					
Other Funds Limited	\$ -	\$ -	\$ 600,000	\$ 600,000	100.0%
Total	\$ -	\$ -	\$ 918,044	\$ 918,044	100.0%

Position Summary

Oregon State Police				
Authorized Positions	0	0	1	1
Full-time Equivalent (FTE) Positions	0.00	0.00	0.75	0.75
Department of Environmental Quality				
Authorized Positions	0	0	2	2
Full-time Equivalent (FTE) Positions	0.00	0.00	1.75	1.75

Summary of Revenue Changes

House Bill 2131 appropriates \$318,044 General Fund to the Oregon State Police State Fire Marshal (SFM) for a full-time Training and Development Specialist 2 position. The bill also provides a \$600,000 Other Funds expenditure limitation funded with a one-time revenue transfer from the Oregon Department of Transportation (ODOT) to the Department of Environmental Quality (DEQ), to fund two limited duration Natural Resource Specialist 4 positions. The ODOT funding comes from fees assessed to railroads on their gross annual operating revenues.

Summary of Public Safety Subcommittee Action

Oregon State Police, State Fire Marshal

House Bill 2131 directs the State Fire Marshal to amend its existing coordinated response plan, for hazardous material emergency response, to include the location of the response resources, owned by the railroad, for an oil or hazardous material spill or release. The bill also requires the

SFM's to a coordinated response plan include implementation of a full-scale, multiagency, multijurisdictional and multidisciplinary oil or hazardous material spill or release training exercise.

The bill amends definitions and requires a calculation of a worst-case spill number, which is a risk assessment number related to a spill of oil. It also requires rail carriers to annually submit proof of financial responsibility to pay the cost to clean up a worst-case spill. It requires the SFM to share the information with DEQ in order to administer provisions of law applying to high hazard train routes.

House Bill 2131 appropriates \$318,044 General Fund to SFM for a permanent full-time Training and Development Specialist 2 position (0.75 FTE). The duties of the position will include training and exercise coordination with state and local response agencies, as well as outreach and training efforts.

Department of Environmental Quality

House Bill 2131 directs DEQ to adopt standards for the preparation of contingency plans for high hazard train routes and mandates owners and operators of a high hazard train route must submit an oil spill prevention and emergency response plan to DEQ. When DEQ receives a contingency plan for a high hazard train route, it will provide a copy of the plan for review to the Oregon Department of Fish and Wildlife, the State Fire Marshal and the Department of Land Conservation and Development and to any federally recognized Oregon Indian tribes owning property that abuts or is travelled over by the high hazard train route covered by the contingency plan.

The bill establishes the High Hazard Train Route Oil Spill Prevention Fund, which is separate from the General Fund and continuously appropriated to the department. The money is to be used to review contingency plans for high hazard train routes; to conduct training and response exercises; to inspect and test equipment inventories and the ability to prevent and respond to oil release emergencies along high hazard train routes; and, to develop, review and revise the parts of the oil spill response plan relating to sensitive areas along high hazard train routes.

House Bill 2131 also provides a \$600,000 Other Funds limitation funded with a one-time revenue transfer from ODOT to DEQ to fund two limited duration Natural Resource Specialist 4 positions (1.75 FTE) to complete rulemaking, review plans and give feedback to railroad owners and operators. DEQ will also need to define which inland areas are covered by the requirements of the bill.

Oregon Department of Transportation

House Bill 2131 directs ODOT to coordinate development of a single plan and procedure for the regulation of the transportation of hazardous waste in cooperation with the SFM and DEQ.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of Environmental Quality
 Oregon State Police, State Fire Marshall
 Cathleen Connolly - 503-373-0083

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
SUBCOMMITTEE ADJUSTMENTS									
Department of Environmental Quality									
SCR -003 Land Quality									
Personal Services	\$ -	\$ -	\$ 517,250	\$ -	\$ -	\$ -	\$ 517,250	2	1.75
Services and Supplies	\$ -	\$ -	\$ 82,750	\$ -	\$ -	\$ -	\$ 82,750		
Oregon State Police, State Fire Marshall									
SCR -044 State Fire Marshal									
Personal Services	\$ 128,172	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 128,172	1	0.75
Services and Supplies	\$ 189,872	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 189,872		
TOTAL ADJUSTMENTS	\$ 318,044	\$ -	\$ 600,000	\$ -	\$ -	\$ -	\$ 918,044	3	2.50
SUBCOMMITTEE RECOMMENDATION	\$ 318,044	\$ -	\$ 600,000	\$ -	\$ -	\$ -	\$ 918,044	3	2.50