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HOUSE OF REPRESENTATIVES

December 7, 2020

President of the Oregon Senate Peter Courtney
Speaker of the Oregon House of Representatives Tina Kotek
Members of the 2020 Interim Legislature

Ref: LC 0268

President Courtney, Speaker Kotek, and Respected Colleagues:

I write this letter to you asking for your assistance in passing meaningful reform/s of our statewide emergency management structures and systems during the upcoming 2021 Legislative Session. Although our committee has been working on this proposal since the 2018 Legislative Session – there has never been a more appropriate time for us to reform an obsolete and less than optimum emergency prevention, preparedness, response, and recovery enterprise.

A version of LC 0268 passed out of the House Committee on Veterans and Emergency Preparedness (HVEP) in 2020 with a unanimous vote. It could have passed out of committee in 2019, but we deferred to Governor Brown's request to provide space for the Governor's Council of Wildfire Response (GCWR) to make its initial set of recommendations. Note1: nearly all the recommendations made by the GCWR are reflected in the draft LC 0268. Unfortunately, the Governor's interest in emergency preparedness enhancements has thus far been tightly focused upon a "crisis-specific" approach (contagion response, seismic resiliency, and most recently, wildfire mitigation/recovery). Our committee believes an "All-Hazards" strategy is a more rational, reasonable, and responsible approach to prepare Oregonians for the catastrophes of tomorrow.

We believe structural reforms are necessary because we have a system misaligned with 21st Century realities. We believe we must provide critical public safety agencies with the ability to focus upon discipline-specific requirements – in a coordinated, integrated fashion. We believe existing budgetary and supervisory relationships between the Oregon State Police and the Oregon State Fire Marshal, and the Oregon Military Department and the Office of Oregon Emergency Management, are no longer optimal. We believe the mission/s of these critical functions have been constrained by unnecessary bureaucratic processes. And we believe the State of Oregon must field a more robust system of emergency mitigation, prevention, response, and recovery than we have because of the increasing likelihood of catastrophic disasters linked to modern realities. In simplest terms, we believe the existing structures are not sufficient: a finding that warrants action in the near-term to better protect our people and place.

LC 0268 is the result of three years of work. We have had formal and informal workgroups over various parts and pieces of the draft. We have had a running dialogue with emergency service providers at all levels of command and control. In general, our proposal accomplishes the following:

1. Establishes the State Fire Marshal as an independent agency;
2. Establishes the Office of Emergency Management into an independent agency;

3. Transitions the Oregon Homeland Security Council into a Commission comprised of the public safety leadership of the state – as well as partner agencies with significant emergency response functionality;
4. Establishes an advisory board for the director of an independent Department of Emergency Management that is comprised of local emergency services providers to ensure greater collaboration;
5. Establishes staff supported advisory councils for the distinct functions of operational response and strategic planning;
6. Clarifies the authority of the Oregon State Fire Marshal as the senior decision-maker relating to all Wildland Urban Interface (WUI) safety/security issues;
7. Transitions all senior agency leadership to Governor-appointed, Senate-confirmed position/s; and
8. Establishes a timeline for responsible migration from the existing structure to a new structure with sufficient time for administrative adjustments and potential investments.

We believe this measure is a solid draft reflecting best practices and affordability. It warrants our attention, effort, and time. LC 0268 is the result of an ongoing bipartisan partnership that has (in the past, and present) enjoyed support from members of both parties in the Oregon State Senate. Over the past three years, we have evaluated other states and international models of emergency services delivery. This reflects the best of several different state and territory models. For those suggesting this concept requires more thought or time – the reality is that anyone who has wanted to participate in our reform discussions has had ample opportunity to do so; our committee is not willing to continue waiting for a more opportune time given the lessons learned this past year.

It must be stated that this proposal has faced push-back from members of the Executive Branch. This has manifested in covert (and not so covert) efforts to stall progress on this approach. While the norms of bureaucratic turf wars may have been forgivable in the past – 2020 has changed the rules. There is no reasonable argument against realigning our capabilities and capacities for the threats we now face. Accordingly, it is our shared hope that the 2021 Legislative Session will be the opportunity for all of us involved in the governance of our state can – and will – recognize the critical need for a strategic emergency management structure with delivery systems aligned to emergent realities.

I believe this is a "win-win" for our state, counties, and local emergency responders. And to that point, I have asked Representatives Lewis and Wilde to co-chair the effort for passage of LC 0268 in the coming session. I have also coordinated our efforts with Senator Manning (who chairs the Senate Committee on Veterans and Emergency Preparedness). All of us have spent a lifetime in one uniform or another defending our nation against domestic and foreign enemies – preparing for threats from nature and terror – in pursuit of greater safety and security for our people and place.

This letter is a direct request for your personal help in moving this piece of legislation forward. I earnestly believe that had we accomplished the work earlier, it would have had a profound positive impact upon the lives of hundreds if not thousands of our neighbors this past year. Together we can get this done, and together we can get it done right.

Respectfully,



Rep Evans
Chair, House Committee on Veterans and Emergency Preparedness