

A-Engrossed
House Bill 4111

Ordered by the House February 17
Including House Amendments dated February 17

Sponsored by Representatives EVANS, WILLIAMS, HELT, BONHAM, GOMBERG, HELM, LEWIS, SMITH DB, WITT; Representatives CLEM, KENY-GUYER, LEIF, MARSH, MEEK, MITCHELL, NEARMAN, NERON, NOSSE, PILUSO, POWER, REARDON, SANCHEZ, SCHOUTEN, SOLLMAN, WILDE, ZIKA, Senators BOLES, PROZANSKI, TAYLOR (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Directs Office of Emergency Management to establish and administer voluntary Oregon outdoor recreation search and rescue card program.]

[Establishes Oregon Search and Rescue Fund. Continuously appropriates moneys in fund to office to reimburse county sheriffs for search and rescue activities and to administer and support county search and rescue grant program.]

[Directs office to establish county search and rescue grant program to distribute moneys to counties for equipment, training and educational outreach.]

Permits Office of Emergency Management to enter into agreement with nonprofit organization representing sheriffs under which organization is authorized to administer program to produce and sell outdoor recreation search and rescue cards. Establishes requirements for agreement.

Provides that organization may use revenues from program only to reimburse administrative costs and expenses, to reimburse county sheriffs' offices for certain costs relating to search and rescue and to issue grants for search and rescue purposes.

[Declares emergency, effective on passage.]

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to funding for search and rescue; and prescribing an effective date.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Office of Emergency Management may enter into an agreement with**
5 **a nonprofit organization representing sheriffs in the State of Oregon under which the or-**
6 **ganization is authorized to establish and administer a program to produce and sell outdoor**
7 **recreation search and rescue cards via authorized sellers.**

8 **(2) The purpose of the card program is to allow members of the public to make voluntary**
9 **contributions to search and rescue efforts in Oregon by purchasing cards and making vol-**
10 **untary donations.**

11 **(3) An agreement under this section must meet the requirements set forth in section 2**
12 **of this 2020 Act.**

13 **(4) If the office enters into an agreement under this section, the office shall submit a**
14 **report to the standing or interim committees of the Legislative Assembly relating to emer-**
15 **gency services, on or before December 31 of each year, that describes the administration and**
16 **effectiveness of the card program.**

17 **(5) Purchase of a card does not exempt a purchaser from liability for reimbursement**
18 **under ORS 404.270.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (6) As used in this section and section 2 of this 2020 Act:

2 (a) "Authorized seller" means a state, local or federal agency or private entity that
3 agrees to make cards available for purchase.

4 (b) "Card" means an outdoor recreation search and rescue card.

5 **SECTION 2.** An agreement between the Office of Emergency Management and a
6 nonprofit organization under section 1 of this 2020 Act must provide for all of the following:

7 (1) The organization must design and produce cards to be sold to members of the public.

8 (2) The organization may hold itself out as operating the card program under the direc-
9 tion and oversight of the office and the State of Oregon.

10 (3) The organization must make annual and multiyear cards available. Multiyear cards
11 must expire no later than five years after issuance.

12 (4) The organization may, at its discretion, make available family cards in addition to
13 individual cards.

14 (5) The organization must establish a retail price for each type of card available, not to
15 exceed:

16 (a) \$10 for an annual individual card;

17 (b) \$25 for an annual family card;

18 (c) \$50 for a multiyear individual card; and

19 (d) \$125 for a multiyear family card.

20 (6) The organization may coordinate with authorized sellers to make the cards available
21 for purchase, in person or online.

22 (7) The organization must establish a fee that an authorized seller may retain for each
23 sale of a card. The fee may not exceed five percent of the retail price of the card.

24 (8) The organization must establish a system for collecting revenues from card sales
25 from authorized sellers, less any fees retained by the authorized sellers.

26 (9)(a) The organization must create a separate account for purposes of the card program.
27 The organization must deposit revenues from card sales in the account. The organization
28 must deposit interest earned by the account in the account.

29 (b) The organization may solicit and accept gifts, grants or donations from public or
30 private sources for deposit in the account, either directly or through authorized sellers. If
31 an authorized seller accepts a gift, grant or donation on behalf of the organization, the or-
32 ganization may not permit the authorized seller to charge or retain any fee related to the
33 gift, grant or donation.

34 (10) The organization must expend moneys in the account described in subsection (9) of
35 this section exclusively for the following purposes:

36 (a) To reimburse county sheriffs' offices for search and rescue expenses as described in
37 subsection (11) of this section;

38 (b) To issue grants to county sheriffs' offices for search and rescue purposes as described
39 in subsection (12) of this section; and

40 (c) To reimburse administrative costs and expenses incurred by the organization in per-
41 forming its duties under the agreement, except that the aggregate amount of such re-
42 imbursements may not exceed 10 percent of the aggregate revenues from card sales collected
43 by the organization over the course of the card program.

44 (11)(a) The organization may reimburse county sheriffs' offices for costs incurred in the
45 performance of the sheriffs' responsibility for search and rescue activities under ORS

1 404.110, including costs, if any, associated with volunteer search and rescue activities.

2 (b) The organization must establish a methodology for receiving, evaluating and prior-
3 itizing claims for reimbursement from county sheriffs' offices.

4 (12)(a) The organization may issue grants to county sheriffs' offices for search and res-
5 cue purposes. The organization must permit county sheriffs' offices to apply for grants on
6 behalf of volunteer search and rescue organizations.

7 (b) Grants must carry the following conditions:

8 (A) Grant moneys must be used exclusively for equipment, training and educational out-
9 reach related to search and rescue;

10 (B) Grant moneys must be expended within one year after the moneys are disbursed to
11 the recipient; and

12 (C) Recipients must report to the organization no later than 90 days after the date that
13 grant moneys are fully expended, or 15 months after the moneys are disbursed to the recip-
14 ient, whichever is earlier. The report must describe the equipment, training or educational
15 outreach for which the grant moneys were used.

16 (c) The organization must establish a methodology for equitably distributing grant mon-
17 eys among applicants, taking into consideration:

18 (A) Additional resources available to the applicant;

19 (B) The volume and nature of search and rescue activities that take place in the
20 applicant's county; and

21 (C) Geographical equity.

22 (13) The organization must report to the Office of Emergency Management once per
23 quarter. The report must include a detailed accounting of revenues and expenditures related
24 to the agreement.

25 **SECTION 3.** This 2020 Act takes effect on the 91st day after the date on which the 2020
26 regular session of the Eightieth Legislative Assembly adjourns sine die.

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