

## HB 4068 A STAFF MEASURE SUMMARY

### House Committee On Veterans and Emergency Management

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**Action Date:** 02/10/22

**Action:** Do pass with amendments and be referred to Ways and Means by prior reference.  
(Printed A-Eng.)

**Vote:** 6-0-0-0

**Yeas:** 6 - Evans, George, Grayber, Lewis, Meek, Wright

**Fiscal:** Fiscal impact issued

**Revenue:** Revenue impact issued

**Prepared By:** Patrick Brennan, LPRO Analyst

**Meeting Dates:** 2/1, 2/3, 2/8, 2/10

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#### WHAT THE MEASURE DOES:

Transfers responsibility for Oregon Homeland Security Council to Oregon Department of Emergency Management (OEM). Transfers Oregon Pre-Disaster Mitigation Fund to OEM. Requires certain government officials and management-level employees to complete incident command and emergency response education. Directs OEM to create, fill, and utilize at least six positions in support of the emergency notification system. Directs certain public bodies to conduct periodic emergency response exercises. Directs Oregon Homeland Security Council to establish program to ensure robust stock of emergency supplies and equipment. Directs Oregon Business Development Department to establish and administer Oregon Resiliency Partnership Program. Ensures membership of Emergency Preparedness Advisory Council includes member with experience or knowledge for each federal emergency support function. Authorizes Governor and Oregon Department of Transportation to issue and extend commercial driver licenses in certain emergencies in accordance with a concurrent federal waiver. Directs Department of Environmental Quality to prioritize recipients affected by 2020 wildfires when providing financial assistance related to on-site septic systems. Declares emergency, effective on passage.

#### ISSUES DISCUSSED:

- Limits on flexibility of Oregon Department of Transportation's commercial driver license authority
- Types of incident training used
- Leadership of Oregon Homeland Security Council
- Stockpiling emergency equipment and supplies
- Funding for staffing 24-hour operations center in another measure
- Proposed amendment related to septic system funding
- Tabletop emergency preparedness exercises
- Proposed amendment related to fireproofing

#### EFFECT OF AMENDMENT:

Reverts to Governor as chair, and Oregon Department of Emergency Management (OEM) Director as vice-chair, of Oregon Homeland Security Council. Specifies that OEM shall create, fill, and utilize at least six positions to provide support for emergency notification system. Reduces requirement for county tabletop scenario-based learning exercises from four times per year to once per year and specifies that a county need not conduct such exercises in a year when the county's emergency operations center was partially or fully activated in response to an emergency. Directs Oregon Homeland Security Council to consult with Emergency Preparedness Advisory Council and other relevant entities in establishing Oregon Critical Disaster Preparedness Stockpile. Delays stockpile progress report to legislative committees from September 2022 to September 2023. Directs Governor, when appointing members to Emergency Preparedness Advisory Council, to strive to maintain linguistic, socioeconomic, and experiential diversity among council members. Revises commercial driver license section to specify that

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Oregon Department of Transportation may modify or waive requirements in accordance with concurrent federal waiver. Directs Department of Environmental Quality, when providing financial assistance related to on-site septic systems, to prioritize recipients that were affected by the 2020 wildfires.

### **BACKGROUND:**

The Oregon Homeland Security Council was established by House Bill 2101 (2005) to assess risks to the state with an emphasis on domestic terrorism and critical infrastructure. The Council is made up of legislators and the heads of several state agencies. Currently, the Council resides within the Office of the Governor; House Bill 4068 A moves it under the umbrella of the Oregon Department of Emergency Management (OEM).

The Oregon Pre-Disaster Mitigation Fund was established by House Bill 3626 (2008) to use federal funds for pre-disaster mitigation efforts to issue grants through the Oregon Military Department, which formerly housed OEM. House Bill 4068 A transfers the Fund to OEM.

House Bill 4068 A also requires all elected officials and state agency administrative directors, as well as all persons in state government management services, to complete an introductory course on incident command and the National Incident Management System (NIMS). Originally issued in 2004, NIMS provides a consistent, nationwide framework for partner agencies and entities throughout federal, state, and local government to work together to prevent, protect against, respond to, recover from, and mitigate the effects of incidents.

House Bill 4068 A directs OEM to create, fill, and utilize at least six positions to support the emergency notification system. The system is maintained by the Department of State Police, and, beginning July 2022, will operate under a service agreement with OEM for daily operation of the system as a continuously available communications network and a component of the state's emergency operations center.

The measure also directs OEM to develop a program of periodic emergency exercises, including: an annual multi-disciplinary, all-hazards emergency response exercise involving at least 10 percent of all public and private safety agencies in the state; and an annual internal exercise testing at least one element of the state's emergency preparedness. In addition, each county is directed to conduct a tabletop learning exercise each year related to emergency response, except in years when the county's emergency operations center was activated. OEM is directed to consult with the Oregon Homeland Security Council on priorities for these exercises.

During the early months of the pandemic, there were widespread shortages of personal protective equipment (PPE) and other emergency supplies. Such shortages led to postponement and cancellation of medical procedures and, in some cases, forced medical professionals to reuse PPE, as demand for the equipment drastically increased across the globe. House Bill 4068 A directs the Oregon Homeland Security Council to establish a program to create an Oregon Critical Disaster Preparedness Stockpile. It also directs the Council to coordinate the development of a list of essential equipment and materials, as well as the manufacturing capacity and distribution network for those supplies. The Council is directed to report to legislative committees on efforts taken to establish the stockpile by September 30, 2023. Once this process is complete, the measure directs the Oregon Business Development Department to establish and administer the Oregon Resiliency Partnership Program to ensure the stockpile is maintained.

House Bill 4068 A also modifies the membership provisions of the Emergency Preparedness Advisory Council, which is housed within the Office of the Governor, to specify that there should be at least one member of the council with experience or knowledge of each federal emergency support function. The measure also requires that the Governor, when making appointments to the Council, consider diversity criteria such as language, socioeconomic status, and experience.

Finally, the measure specifies that, during a declared state of emergency, the Oregon Department of Transportation must issue a commercial driver license to individuals experienced in driving an equivalent military motor vehicle, concurrent with a similar federal waiver. Licenses issued under this authority would remain valid

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until termination of the emergency.