SB 1518 A   STAFF MEASURE SUMMARY

Senate Committee On Veterans and Emergency Preparedness

Action Date:	02/14/18
Action:	Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)
Vote:	4-0-0-0
Yeas:	4 - Boquist, Manning Jr, Monnes Anderson, Olsen
Fiscal:	Fiscal impact issued
Revenue:	No revenue impact
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WHAT THE MEASURE DOES:

Creates an exception for cemetery authorities to deviate from certain protocols that would otherwise apply to handling deceased persons, so they may respond to natural disasters that disturb human remains. Provides corresponding immunity from liability. Requires quarterly reports until 2020, from the Oregon Military Department (OMD) to the legislature on progress addressing deficiencies identified in audits. Substantially codifies planning and training exercises through the State Fire Marshal's office to respond to oil spills during rail transport operative January 1, 2019. Requires the Office of Emergency Management (OEM) to meet with marine and rail operators to integrate them into state catastrophic emergency response plans and report back to the legislature by March 31, 2019. Requires OEM and other relevant public entities to meet with railroad operators to review and report on oil spill preparedness and response in Washington, California, and as per the federal Pipeline and Hazardous Materials Safety Administration, and report back to the legislature by September 15, 2018. Adds a representative of the Department of Justice to the Homeland Security Council. Takes effect 91st day after *sine die*.

ISSUES DISCUSSED:

• Effect of recent landslides on cemeteries and current requirements applicable to handling human remains

• Deficiencies at the Office of Emergency Management identified in recent audit by Secretary of State

• Current inconsistency among western states in planning and response to oil train spills

• Lack of public/private collaboration in planning and response to oil train spills

• Adding a representative from the Department of Justice to the Homeland Security Council

EFFECT OF AMENDMENT:

Requires quarterly reports until 2020, from the Oregon Military Department (OMD) to the legislature on progress addressing deficiencies identified in audits. Substantially codifies training exercises through the State Fire Marshal's office, for oil spills during rail transport. Requires the Office of Emergency Management to meet with marine and rail operators to integrate them into state catastrophic emergency response plans and report back to the legislature. Requires specified entities to work together to review and report on oil spill preparedness and response in Washington, California, and as per the Pipeline and Hazardous Materials Safety Administration. Adds a representative of the Department of Justice to the Homeland Security Council.

BACKGROUND:

Senate Bill 1518A addresses a number of emergency planning matters affecting cemeteries; deficiencies at the Office of Emergency Management; training for and responding to potential oil train spills; and the composition of the Homeland Security Council.

The disposition of human remains is heavily regulated. In order to remove the remains of a deceased person from a plot, current law requires the written consent and approval of persons with decision-making authority over the remains, as well as the consent of the relevant cemetery authority. If consent cannot be obtained from persons with decision-making authority, an application may be filed in court with 60-days advance notice to the relevant cemetery authority and person. Similarly, disinterment and reinterment of human remains also requires authorization, typically from the State Registrar of the Center for Health Statistics, upon application by a funeral service practitioner. In the event a natural disaster or similar emergency disturbs interred human remains, Senate Bill 1518A allows cemetery authorities to respond in specified ways after making reasonable efforts to notify persons with decision-making authority over the affected remains.

In recent state and federal audits of the Office of Emergency Management (OEM), deficiencies were identified regarding the management of federal grant funds and the state's overall level of preparedness for catastrophic events. Senate Bill 1518A requires quarterly reports until 2020, on OEM's progress addressing these deficiencies.

State and local emergency response to the derailment of a train shipping crude oil near Mosier in June of 2016, continues to be reviewed and evaluated for areas of improvement. Senate Bill 1518A codifies existing multiagency/multijurisdictional planning and training exercises through the State Fire Marshal's office; requires OEM to include and integrate marine and rail operators into the state's catastrophic emergency planning and report on progress by March 31, 2019; and requires OEM and other relevant public entities to meet with railroad operators to review oil train spill prevention, preparedness, and response plans in Washington and California, and at the federal level, and report back to the legislature by September 15, 2018.

Oregon's Homeland Security Council within OEM receives briefings on security matters at least annually, including those related to catastrophic disasters and other states of emergency declared by the Governor, and advises relevant state agencies on emergency management strategies. The Council currently consists of the Governor, the Adjutant General, four legislators, the Superintendent of State Police, and OEM's director. Senate Bill 1518A adds a representative from the Department of Justice, in light of its role operating the Oregon TITAN Fusion Center: the Fusion Center engages in information analysis and sharing around all hazards and crimes, in partnership with federal, state, and local law enforcement. Its primary mission is to aid in the identification, prevention, and disruption of terrorist and criminal threats, which could exploit vulnerabilities that might exist after a catastrophic event.