

HB 4041-7  
(LC 197)  
2/3/20 (DFY/ps)

Requested by HOUSE COMMITTEE ON VETERANS AND EMERGENCY PREPAREDNESS (at the request of Representative Paul Evans)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4041**

1 On page 1 of the printed bill, line 2, after “provisions;” delete the rest  
2 of the line and lines 3 through 15 and insert “amending ORS 401.062; and  
3 declaring an emergency.”.

4 Delete lines 17 through 21 and delete pages 2 through 80.

5 On page 81, delete lines 1 through 5 and insert:

6 “**NOTE:** Sections 1 through 3 were deleted by amendment. Subsequent  
7 sections were not renumbered.

8

9 **“DIRECTOR OF THE OFFICE OF EMERGENCY MANAGEMENT**

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11 **“SECTION 4.** ORS 401.062 is amended to read:

12 “401.062. (1) The Office of Emergency Management is under the super-  
13 vision and control of a director, who is responsible for the performance of  
14 the duties, functions and powers of the office.

15 “(2) [*The Adjutant General, with the approval of*] The Governor[,] shall  
16 appoint the Director of the Office of Emergency Management, who holds of-  
17 fice at the pleasure of the [*Adjutant General.*] **Governor. The appointment**  
18 **of the director is subject to confirmation by the Senate in the manner**  
19 **prescribed by ORS 171.562 and 171.565.**

20 “(3) The director shall be paid a salary as provided by law or, if not so  
21 provided, as prescribed by [*the Adjutant General, with the approval of*] the

1 Governor.

2 “(4) For purposes of administration, subject to the approval of the [*Ad-*  
3 *jutant General*] **Governor**, the director may organize and reorganize the of-  
4 fice as the director considers necessary to properly conduct the work of the  
5 office.

6 “(5) The director may divide the functions of the office into administra-  
7 tive divisions. Subject to the approval of the [*Adjutant General*] **Governor**,  
8 the director may appoint an individual to administer each division. The ad-  
9 ministrator of each division serves at the pleasure of the director and is not  
10 subject to the provisions of ORS chapter 240. Each individual appointed un-  
11 der this subsection must be well qualified by technical training and experi-  
12 ence in the functions to be performed by the individual.

13 “**NOTE:** Sections 5 through 14 were deleted by amendment. Subsequent  
14 sections were not renumbered.

15 “**SECTION 15. The Director of the Office of Emergency Manage-**  
16 **ment on the effective date of this 2020 Act shall continue to serve as**  
17 **director at the pleasure of the Governor and without the need for**  
18 **confirmation by the Senate.**

19 “**NOTE:** Sections 16 through 150 were deleted by amendment. Subsequent  
20 sections were not renumbered.”.

21 In line 13, delete “Oregon Department” and insert “Office”.

22 In line 14, delete “Oregon Department” and insert “Office”.

23 In line 15, delete “Department” and insert “office”.

24 On page 82, line 3, delete “Oregon Department” and insert “Office”.

25 In line 28, delete “Oregon Department” and insert “Office”.

26 In line 40, delete “department” and insert “office”.

27 On page 83, delete lines 2 through 31 and insert:  
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29 “**EMERGENCY MANAGEMENT RESTRUCTURING TASK FORCE**  
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1       **“SECTION 153. (1) The Emergency Management Restructuring Task**  
2 **Force is established.**

3       **“(2) The task force consists of 13 members appointed as follows:**

4       **“(a) Two members from the Senate appointed by the President of**  
5 **the Senate;**

6       **“(b) Two members from the House of Representatives appointed by**  
7 **the Speaker of the House of Representatives; and**

8       **“(c) Nine members appointed by the Governor as follows:**

9       **“(A) One member to represent local governments;**

10       **“(B) One member to represent tribal interests;**

11       **“(C) One member to represent emergency management organiza-**  
12 **tions; and**

13       **“(D) Six members who have experience or interest in emergency**  
14 **management.**

15       **“(3)(a) The task force shall perform a study of emergency manage-**  
16 **ment resources and capabilities available in this state, including re-**  
17 **sources and capabilities available within state government, local**  
18 **government and the private sector.**

19       **“(b) The task force shall prepare recommendations for a compre-**  
20 **hensive restructuring of emergency management systems in this state,**  
21 **with the goals of:**

22       **“(A) Maximizing the emergency management abilities of state, local**  
23 **and private resources; and**

24       **“(B) Aligning state, local and private emergency management abil-**  
25 **ities with federal emergency management priorities.**

26       **“(c) No later than January 31, 2022, the task force shall submit a**  
27 **report on its findings and recommendations, which may include rec-**  
28 **ommendations for legislation, to an appropriate standing or interim**  
29 **committee of the Legislative Assembly.**

30       **“(4) A majority of the members of the task force constitutes a**

1 quorum for the transaction of business.

2 “(5) Official action by the task force requires the approval of a  
3 majority of the members of the task force.

4 “(6) The task force shall elect one of its members to serve as  
5 chairperson.

6 “(7) If there is a vacancy for any cause, the appointing authority  
7 shall make an appointment to become immediately effective.

8 “(8) The task force shall meet at times and places specified by the  
9 call of the chairperson or of a majority of the members of the task  
10 force.

11 “(9) The task force may adopt rules necessary for the operation of  
12 the task force.

13 “(10) The Office of Emergency Management shall provide staff sup-  
14 port to the task force.

15 “(11) Members of the task force are not entitled to compensation  
16 or reimbursement for expenses and serve as volunteers on the task  
17 force.

18 “(12) All agencies of state government, as defined in ORS 174.111,  
19 are directed to assist the task force in the performance of the duties  
20 of the task force and, to the extent permitted by laws relating to  
21 confidentiality, to furnish information and advice the members of the  
22 task force consider necessary to perform their duties.

23 “SECTION 153a. Section 153 of this 2020 Act is repealed on June 30,  
24 2022.”.

25 In line 35, delete “156” and insert “154”.

26 After line 37, insert:

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28 “EMERGENCY CLAUSE

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30 “SECTION 155. This 2020 Act being necessary for the immediate

1 **preservation of the public peace, health and safety, an emergency is**  
2 **declared to exist, and this 2020 Act takes effect on its passage.”.**

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