

House Bill 2119

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Oregon Military Department)

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 **as introduced**.

Transfers responsibility for 2-1-1 system from Office of Emergency Management to Department of Human Services.

A BILL FOR AN ACT

1
2 Relating to the 2-1-1 system; creating new provisions; and amending ORS 401.092, 403.415, 403.425,
3 403.430 and 403.435.

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

5 **SECTION 1. The duties, functions and powers of the Office of Emergency Management**
6 **relating to the 2-1-1 system established under ORS 403.400 to 403.435 are imposed upon,**
7 **transferred to and vested in the Department of Human Services.**

8 **SECTION 2.** ORS 401.092 is amended to read:

9 401.092. (1) The Director of the Office of Emergency Management is responsible for coordinating
10 and facilitating exercises and training, emergency planning, preparedness, response, mitigation and
11 recovery activities with the state and local emergency services agencies and organizations, and
12 shall, with the approval of the Adjutant General or as directed by the Governor:

13 (a) Make rules that are necessary and proper for the administration and implementation of this
14 chapter;

15 (b) Coordinate the activities of all public and private organizations specifically related to pro-
16 viding emergency services within this state;

17 (c) Maintain a cooperative liaison with emergency management agencies and organizations of
18 local governments, other states and the federal government;

19 (d) Have such additional authority, duties and responsibilities authorized by this chapter or as
20 may be directed by the Governor;

21 (e) Administer grants relating to emergency program management under ORS 401.305[,] **and**
22 emergency services for the state [*and the statewide 2-1-1 system as provided in ORS 403.430*];

23 (f) Provide for and staff a State Emergency Operations Center to aid the Governor and the Of-
24 fice of Emergency Management in the performance of duties under this chapter;

25 (g) Serve as the Governor's authorized representative for coordination of certain response ac-
26 tivities and managing the recovery process;

27 (h) Establish training and professional standards for local emergency program management per-
28 sonnel;

29 (i) Establish task forces and advisory groups to assist the office in achieving mandated respon-
30 sibilities;

31 (j) Enforce compliance requirements of federal and state agencies for receiving funds and con-

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.

ducting designated emergency functions; **and**

[(k) *Oversee the design, implementation and support of a statewide 2-1-1 system as provided under ORS 403.415; and*]

[(L)] (k) Coordinate the activities of state and local governments to enable state and local governments to work together during domestic incidents as provided in the National Incident Management System established by the Homeland Security Presidential Directive 5 of February 28, 2003.

(2) Notwithstanding subsection (1) of this section, the State Forester shall serve as the Governor’s authorized representative for the purpose of initiating the fire management assistance declaration process with the Federal Emergency Management Agency and administering Federal Emergency Management Agency fire management assistance grants.

SECTION 3. ORS 403.415 is amended to read:

403.415. (1) Subject to subsection (3) of this section, the *[Office of Emergency Management]* **Department of Human Services** shall enter into a contract with a 2-1-1 system facilitator to design, implement and support a statewide 2-1-1 system.

(2) The contract shall ensure that the 2-1-1 system facilitator develops and maintains a statewide resources database that contains information regarding services after an emergency and health and human services input by designated regional information centers.

(3) In awarding the contract under subsection (1) of this section, the *[office]* **department** shall ensure that the 2-1-1 system facilitator has the funds and the financial capacity to carry out the terms of the contract and that the contract is cost-neutral to the *[office]* **department**.

(4) The department shall consult with the Oregon Health Authority in carrying out the duties imposed by this section.

SECTION 4. ORS 403.425 is amended to read:

403.425. Before a state agency that provides health and human services establishes a new public information hotline, the state agency shall consult with the *[Office of Emergency Management]* **Department of Human Services** about using the 2-1-1 system to provide public access to the information.

SECTION 5. ORS 403.430 is amended to read:

403.430. (1) The *[Office of Emergency Management]* **Department of Human Services** may accept contributions of moneys and assistance from the federal government or its agencies or from any other source, public or private, and agree to conditions placed on the moneys not inconsistent with the purpose of establishing a statewide 2-1-1 system.

(2) The *[office]* **department** may, from contributions of moneys received under subsection (1) of this section, provide grants to the 2-1-1 system facilitator to enable the provision of 2-1-1 service 24 hours per day, seven days per week.

SECTION 6. ORS 403.435 is amended to read:

403.435. The 2-1-1 Account is established in the State Treasury, separate and distinct from the General Fund. All moneys received by the *[Office of Emergency Management]* **Department of Human Services** for the 2-1-1 system under ORS 403.430 shall be deposited into the account and are continuously appropriated to the *[Office of Emergency Management]* **department** to be used only for the implementation and support of the 2-1-1 system.

SECTION 7. (1) Nothing in section 1 of this 2021 Act and the amendments to ORS 401.092, 403.415, 403.425, 403.430 and 403.435 by sections 2 to 6 of this 2021 Act relieves a person of a liability, duty or obligation accruing under or with respect to the duties, functions and powers transferred by section 1 of this 2021 Act. The Department of Human Services may

1 undertake the collection or enforcement of any such liability, duty or obligation.

2 (2) The rights and obligations of the Office of Emergency Management legally incurred
3 under contracts, leases and business transactions executed, entered into or begun before the
4 operative date of section 1 of this 2021 Act and accruing under or with respect to the duties,
5 functions and powers transferred by section 1 of this 2021 Act are transferred to the De-
6 partment of Human Services. For the purpose of succession to these rights and obligations,
7 the Department of Human Services is a continuation of the Office of Emergency Manage-
8 ment.

9 **SECTION 8.** (1) Section 1 of this 2021 Act and the amendments to ORS 401.092, 403.415,
10 403.425, 403.430 and 403.435 by sections 2 to 6 of this 2021 Act become operative on July 1,
11 2022.

12 (2) The Department of Human Services, the Oregon Health Authority and the Office of
13 Emergency Management may take any action before the operative date specified in sub-
14 section (1) of this section necessary to carry out the legislative policy expressed in section
15 1 of this 2021 Act.