

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 4068 - A5

81st Oregon Legislative Assembly – 2022 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Measure Description:

Transfers Oregon Homeland Security Council to Oregon Department of Emergency Management.

Government Unit(s) Affected:

Oregon Military Department (OMD), Statewide, Public Universities, Community Colleges, Special Districts, School Districts, Cities, Counties, Office of the Governor, Oregon Department of Transportation (ODOT), Oregon Business Development Department (OBDD)

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Analysis:

The measure transfers the Oregon Homeland Security Council from the Office of the Governor to the Oregon Department of Emergency Management (ODEM). Additionally, this measure transfers the Oregon Pre-Disaster Mitigation Fund from the Oregon Military Department (OMD) to ODEM. This measure outlines requirements for emergency response exercises, development of a plan to ensure all Oregonians have access to a robust stockpile of supplies and equipment for use in an emergency, and reporting requirements related to the stockpile plan.

This measure permits the Oregon Department of Transportation to waive certain requirements when issuing, renewing, or replacing a commercial driver license or commercial learner driver permit in accordance with a concurrent federal waiver; and directs the Department of Environmental Quality to prioritize recipients impacted by the 2020 wildfires when providing financial assistance related to on-site septic systems.

Lastly, this measure requires all elected officials, administrative heads of state agencies, and everyone in state government management service to complete introductory courses offered or approved by the Federal Emergency Management Agency on incident command and the National Incident Management System. This measure also requires all local government officials who could be expected to have an emergency or disaster response responsibility to complete education on emergency response.

This measure declares an emergency and takes effect on passage. Sections of this bill related to ODEM are operative July 1, 2022, with the exception of the repeal of Section 148, chapter 539, Oregon Laws 2021, which transferred unexpended balances authorized to be expended by the Office of Emergency Management for purposes of the Oregon Homeland Security Council for the 2021-23 biennium, to the Office of the Governor for purposes of the Oregon Homeland Security Council.

Oregon Military Department (OMD)/Oregon Department of Emergency Management (ODEM):

OMD estimates the fiscal impact of this measure to be \$484,062 General Fund, and three permanent full-time positions (0.67 FTE each) for the 2021-23 biennium and \$621,096 General Fund for the 2023-25 biennium.

This measure transfers the Oregon Homeland Security Council from the Office of the Governor to ODEM. The Council was originally transferred from OMD to the Governor’s Office in HB 2927 (2021) and the Governor’s

Office was provided \$237,161 General Fund and an administrative position. ODEM assumes \$109,180 General Fund for an Executive Support Specialist (0.67 FTE) to support the Council upon its return less than a year later.

This measure requires ODEM to develop and administer a program for periodic emergency response exercises. Once per year, the Department shall coordinate a multidisciplinary, all-hazards emergency response exercise and involve at least 10 percent of the public or private safety agencies in this state. The Department shall provide advice and recommendations to state agencies and counties regarding the requirements of the trainings, track reports submitted by entities conducting the exercises and consult with the Oregon Homeland Security Council to determine priorities for subjects of exercises. ODEM anticipates the agency will need to hire one permanent full-time position to administer the program; estimated costs of \$147,797 General Fund for the 2021-23 biennium.

This measure also requires the Oregon Homeland Security Council, in consultation with emergency management agencies, ODEM or its predecessor office, and the Oregon Health Authority, to develop a plan to ensure all Oregonians have access to robust stockpile supplies and equipment for use in an emergency; including personal protective equipment and raw materials for the sustained manufacture thereof, communicable disease testing equipment and all-hazards emergency surge supplies, that can be deployed on a regional basis. This measure outlines the requirements of the plan and requires the council to provide a report on the development of the plan to the Legislative Assembly no later than April 15, 2023. ODEM anticipates the agency will need to hire one permanent full-time position with \$177,085 General Fund for the 2021-23 biennium. These costs consist of funding for the position to provide support the council in developing the plan, and legal and consulting services related to this requirement. Additionally, ODEM anticipates \$50,000 of one-time General Fund related to legal costs and consulting fees for the Council to conduct research and develop the stockpile plan.

ODEM notes that the fiscal impact post development of the plan for creating, fulfilling, managing, and supporting the Oregon Critical Disaster Preparedness stockpile is indeterminate. The agency reports that once the Council issues the report to the Legislative Assembly, it may require future additional funding to ODEM and other agencies.

There is no fiscal impact to the Department for transferring the Oregon Pre-Disaster Mitigation Fund from OMD to ODEM, Emergency Incident Training, or the Emergency Preparedness Advisory Council sections of the measure.

Department of Corrections (DOC):

DOC estimates the fiscal impact of this measure to be \$148,367 General Fund, one permanent full-time position (0.54 FTE) for the 2021-23 biennium and \$273,910 General Fund, one permanent full-time position (1.00 FTE) for the 2023-25 biennium. DOC reports the agency will need to hire a Correctional Captain to oversee the responsibilities for emergency response exercises. DOC has 12 institutions located in various counties that provide supplies, services, and shelters to citizens during emergencies. The Correctional Captain position would lead the Department to ensure safety and security of all facilities and interface with ODEM to make decisions in a timely and effective manner during statewide emergencies.

Department of Environmental Quality (DEQ):

DEQ estimates the fiscal impact of this measure to be \$190,179 General Fund, one full-time permanent position (0.58 FTE) for the 2021-23 biennium and \$313,191 General Fund, one permanent full-time position (1.00 FTE) for the 2023-25 biennium. This measure requires DEQ to conduct an annual Incident Command System (ICS) exercise, and at least once every 10 years coordinate with ODEM on a full statewide exercise and requires all managers and supervisory staff to take fundamental ICS training, approximately 13 hours per person. DEQ is requesting one position to develop and implement the annual ICS exercise, maintain and update the agency's continuity of operations plan for best practices learned through the annual exercises, and coordinate with ODEM to develop the report on the annual exercises.

Counties:

The fiscal impact for counties is indeterminate. Once per year, each county shall conduct a tabletop, scenario-based learning exercise related to emergency response. An exercise conducted by a county under this measure must involve the majority of public or private safety agencies operating in the county. Costs would vary from county to county, depending on the frequency and content of training sessions, and the level of discretionary state support.

There is a minimal fiscal impact for the Oregon Department of Transportation and Oregon Business Development Department. The Office of the Governor notes that transferring the Oregon Homeland Security Council to ODEM, will decrease the overall budget for the agency. Funding for the Executive Support Specialist 2 position received through HB 2927 (2021) will be removed. The agency reports there is no fiscal impact for transferring the Council.