

Enrolled
House Bill 3059

Sponsored by Representative EVANS; Representatives ANDERSEN, BOWMAN, DEXTER, GAMBA, GRAYBER, HUDSON, KROPF, MARSH, NATHANSON, PHAM H, REYNOLDS, RUIZ

CHAPTER

AN ACT

Relating to emergency management; creating new provisions; amending ORS 401.378; and declaring an emergency.

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

OREGON DISASTER RESPONSE ASSISTANCE MATCHING FUND

SECTION 1. (1) The Oregon Disaster Response Assistance Matching Fund is established in the State Treasury, separate and distinct from the General Fund. The Oregon Disaster Response Assistance Matching Fund consists of moneys appropriated, allocated, deposited or transferred to the fund by the Legislative Assembly or otherwise. Moneys in the fund are continuously appropriated to the Oregon Department of Emergency Management for the purposes specified in subsections (2) and (3) of this section.

(2) When the receipt of federal grants or other federal aid related to disaster response is conditioned on the contribution of matching funds by the recipient, the department may provide grants from the fund to local governments to be used to contribute such matching funds.

(3) The department may provide grants from the fund to local governments in order to assist or support disaster response efforts.

(4) The department may adopt rules necessary for the administration of this section.

(5) As used in this section, "local government" has the meaning given that term in ORS 174.116.

VOLUNTEER TAX BENEFITS

SECTION 2. The Legislative Revenue Officer shall conduct a study of potential means of granting a tax benefit to emergency management volunteers. Not later than September 15, 2024, the officer shall submit a report of the findings of the study, in the manner provided by ORS 192.245, to the interim committees of the Legislative Assembly related to revenue, and may include recommendations for legislation in the report.

SECTION 3. Section 2 of this 2023 Act is repealed on January 2, 2025.

OREGON DEPARTMENT OF EMERGENCY MANAGEMENT COMPLIANCE DIVISION

SECTION 4. (1) There is established the Compliance Division as an administrative division of the Oregon Department of Emergency Management. The Director of the Oregon Department of Emergency Management shall appoint a compliance officer to lead the division. The compliance officer serves at the pleasure of and at the direction of the director. The director may appoint additional staff to the division as the director deems necessary for the division to carry out its duties.

(2) The Compliance Division shall:

(a) Ensure that the department is in compliance with requirements and regulations relating to moneys received from the federal government, including ensuring compliance by grantees or subgrantees;

(b) Prepare and maintain documentation related to compliance;

(c) Establish monitoring and reporting requirements as necessary to ensure compliance;

(d) Identify compliance risks and direct and supervise corrective actions to mitigate such risks; and

(e) Serve as liaison between the department and federal officials.

(3) Public bodies, as defined in ORS 174.109, shall promptly provide to the Compliance Division any books, records or other documentation that the division determines to be necessary to carry out its duties.

VOLUNTEER PAID LEAVE

SECTION 5. ORS 401.378 is amended to read:

401.378. [(1)] State agencies and political subdivisions described in ORS 243.325 (2) to (6) may grant leaves of absence to any public employee who [*is a certified disaster services volunteer of the American Red Cross*] **volunteers** to participate in disaster relief **or recovery** services in the State of Oregon. Cumulative leave granted shall not exceed 15 work days in any 12-month period. Such leave granted shall not result in a loss of compensation, seniority, vacation time, sick leave or accrued overtime for which the employee is otherwise eligible. Compensation to an employee granted leave under this section shall be at the employee's regular rate of pay for those regular work hours during which the employee is absent from work.

[(2) *As used in this section, "disaster" means those disasters designated at level II and above by the American Red Cross.*]

SUPPORT TO LOCAL ENTITIES

SECTION 6. (1) The Oregon Department of Emergency Management shall provide technical assistance, as described in subsection (2) of this section, to local entities, whether public or private, that are active in emergency preparedness, response or recovery in Oregon, including:

(a) County, city and tribal emergency management agencies;

(b) Community organizations active in disaster;

(c) Long-term recovery groups; and

(d) Disaster mitigation and recovery managers.

(2) Technical assistance provided under this section may include, without limitation, assistance with:

(a) Fundraising or grant writing;

(b) Incorporation or other organization;

(c) Navigating political relationships;

(d) Interacting with the Federal Emergency Management Agency, including ensuring proper form and content of paperwork submitted to the agency;

(e) Culturally specific outreach; and

(f) Branding.

(3) The department may contract with third parties to carry out its duties under this section.

(4) The department shall adopt rules necessary for the administration of this section.

SECTION 7. (1) As used in this section, “community organization active in disaster” means a cooperative organization comprising representatives of nonprofit, governmental, business and faith-based entities that works within a local community to prepare for, build resilience against and recover from emergencies by performing functions including any of the following:

(a) Providing local coordination of federal or state support;

(b) Serving as a primary local disaster recovery organization;

(c) Assessing local needs following disaster and determining locally informed plans for action;

(d) Facilitating communication with local communities, including vulnerable populations;

(e) Leveraging philanthropic and other private funding and coordinating with philanthropic entities;

(f) Facilitating disaster case management, including providing a central hub for allocating resources for unmet needs; and

(g) Providing emergency-related services and supports to the local community.

(2) The Oregon Department of Emergency Management shall identify existing community organizations active in disaster in Oregon and provide grants for their support. The department shall execute grant agreements with grant recipients obligating recipients to use grant moneys for purposes specified by the department. The department shall determine the permissible purposes for a grant under this section based on the needs of the community organization active in disaster and the locality in which it operates.

(3) The department shall adopt rules necessary for the administration of this section.

FISCAL PROVISIONS

SECTION 8. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Emergency Management, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$1,000,000, for deposit into the Oregon Disaster Response Assistance Matching Fund established in section 1 of this 2023 Act.

SECTION 9. Notwithstanding any other law limiting expenditures, the amount of \$1,000,000 is established for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses by the Oregon Department of Emergency Management from the Oregon Disaster Response Assistance Matching Fund established in section 1 of this 2023 Act, for making grants to local governments to assist or support disaster response efforts.

SECTION 10. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Emergency Management, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$1,026,142 to carry out the provisions of section 4 of this 2023 Act.

SECTION 11. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Emergency Management, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$242,714 to carry out the provisions of section 7 of this 2023 Act.

UNIT CAPTIONS

SECTION 12. The unit captions used in this 2023 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2023 Act.

EMERGENCY CLAUSE

SECTION 13. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.

Passed by House June 14, 2023

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Timothy G. Sekerak, Chief Clerk of House

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Dan Rayfield, Speaker of House

Passed by Senate June 23, 2023

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Rob Wagner, President of Senate

Received by Governor:

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Approved:

.....M,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2023

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Secretary of State