

B-Engrossed House Bill 3059

Ordered by the House June 12
Including House Amendments dated April 10 and June 12

Sponsored by Representative EVANS; Representative GRAYBER

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.

Establishes Oregon Disaster Response Assistance Matching Fund. Provides that moneys in fund may be used to issue grants to local governments to make matching contributions necessary to access federal aid or issue grants to assist or support disaster response efforts.

Requires Legislative Revenue Officer to study granting tax benefit to emergency management volunteers. Directs officer to submit report of findings to interim committees of Legislative Assembly related to revenue not later than September 15, 2024.

Establishes Compliance Division within Oregon Department of Emergency Management to ensure compliance with requirements and regulations relating to moneys received from federal government.

Expands statute allowing certain public bodies to grant paid leave of absence to public employee who volunteers to participate in disaster relief or recovery services in state.

Directs department to provide technical assistance to local entities that are active in emergency preparedness, response or recovery.

Directs department to issue grants for support of community organizations active in disaster in Oregon.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to emergency management; creating new provisions; amending ORS 401.378; and declaring
3 an emergency.

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

OREGON DISASTER RESPONSE ASSISTANCE MATCHING FUND

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

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

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

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

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.

1 (5) As used in this section, “local government” has the meaning given that term in ORS
2 174.116.

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4 **VOLUNTEER TAX BENEFITS**

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6 **SECTION 2.** The Legislative Revenue Officer shall conduct a study of potential means of
7 granting a tax benefit to emergency management volunteers. Not later than September 15,
8 2024, the officer shall submit a report of the findings of the study, in the manner provided
9 by ORS 192.245, to the interim committees of the Legislative Assembly related to revenue,
10 and may include recommendations for legislation in the report.

11 **SECTION 3.** Section 2 of this 2023 Act is repealed on January 2, 2025.
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13 **OREGON DEPARTMENT OF EMERGENCY MANAGEMENT COMPLIANCE DIVISION**

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15 **SECTION 4.** (1) There is established the Compliance Division as an administrative divi-
16 sion of the Oregon Department of Emergency Management. The Director of the Oregon De-
17 partment of Emergency Management shall appoint a compliance officer to lead the division.
18 The compliance officer serves at the pleasure of and at the direction of the director. The
19 director may appoint additional staff to the division as the director deems necessary for the
20 division to carry out its duties.

21 (2) The Compliance Division shall:

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

25 (b) Prepare and maintain documentation related to compliance;

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

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

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

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

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34 **VOLUNTEER PAID LEAVE**

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36 **SECTION 5.** ORS 401.378 is amended to read:

37 401.378. [(1)] State agencies and political subdivisions described in ORS 243.325 (2) to (6) may
38 grant leaves of absence to any public employee who [*is a certified disaster services volunteer of the*
39 *American Red Cross*] **volunteers** to participate in disaster relief **or recovery** services in the State
40 of Oregon. Cumulative leave granted shall not exceed 15 work days in any 12-month period. Such
41 leave granted shall not result in a loss of compensation, seniority, vacation time, sick leave or ac-
42 crued overtime for which the employee is otherwise eligible. Compensation to an employee granted
43 leave under this section shall be at the employee’s regular rate of pay for those regular work hours
44 during which the employee is absent from work.

45 [(2) As used in this section, “disaster” means those disasters designated at level II and above by

1 *the American Red Cross.]*

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3 **SUPPORT TO LOCAL ENTITIES**
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5 **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:

- 9 (a) County, city and tribal emergency management agencies;
- 10 (b) Community organizations active in disaster;
- 11 (c) Long-term recovery groups; and
- 12 (d) Disaster mitigation and recovery managers.

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

- 15 (a) Fundraising or grant writing;
- 16 (b) Incorporation or other organization;
- 17 (c) Navigating political relationships;
- 18 (d) Interacting with the Federal Emergency Management Agency, including ensuring proper form and content of paperwork submitted to the agency;
- 19 (e) Culturally specific outreach; and
- 20 (f) Branding.

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

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

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24 **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:

- 30 (a) Providing local coordination of federal or state support;
- 31 (b) Serving as a primary local disaster recovery organization;
- 32 (c) Assessing local needs following disaster and determining locally informed plans for action;
- 33 (d) Facilitating communication with local communities, including vulnerable populations;
- 34 (e) Leveraging philanthropic and other private funding and coordinating with philanthropic entities;
- 35 (f) Facilitating disaster case management, including providing a central hub for allocating resources for unmet needs; and
- 36 (g) Providing emergency-related services and supports to the local community.

37 (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.

1 (3) The department shall adopt rules necessary for the administration of this section.
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3 FISCAL PROVISIONS
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5 **SECTION 8.** In addition to and not in lieu of any other appropriation, there is appropri-
6 ated to the Oregon Department of Emergency Management, for the biennium beginning July
7 1, 2023, out of the General Fund, the amount of \$1,000,000, for deposit into the Oregon Dis-
8 aster Response Assistance Matching Fund established in section 1 of this 2023 Act.

9 **SECTION 9.** Notwithstanding any other law limiting expenditures, the amount of
10 \$1,000,000 is established for the biennium beginning July 1, 2023, as the maximum limit for
11 payment of expenses by the Oregon Department of Emergency Management from the Oregon
12 Disaster Response Assistance Matching Fund established in section 1 of this 2023 Act, for
13 making grants to local governments to assist or support disaster response efforts.

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

18 **SECTION 11.** In addition to and not in lieu of any other appropriation, there is appro-
19 priated to the Oregon Department of Emergency Management, for the biennium beginning
20 July 1, 2023, out of the General Fund, the amount of \$242,714 to carry out the provisions of
21 section 7 of this 2023 Act.
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23 UNIT CAPTIONS
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25 **SECTION 12.** The unit captions used in this 2023 Act are provided only for the conven-
26 ience of the reader and do not become part of the statutory law of this state or express any
27 legislative intent in the enactment of this 2023 Act.
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29 EMERGENCY CLAUSE
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31 **SECTION 13.** This 2023 Act being necessary for the immediate preservation of the public
32 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect
33 on its passage.
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