

HB 2346 -1 STAFF MEASURE SUMMARY

House Committee On Emergency Management, General Government, and Veterans

Prepared By: Beverly Anderson, LPRO Analyst

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/4

WHAT THE MEASURE DOES:

The measure creates the Office of Resilience and Emergency Management within the Department of Human Services and provides that a person who is responsible for a fire may be liable for costs incurred by the Department of Human Services for services to individuals affected by the fire.

Detailed Summary

Section 1-5

- Establishes the Office of Resilience and Emergency Management (OREM) to perform duties described in the Oregon Comprehensive Emergency Management Plan; support continuity of operations; ongoing access to services and programs; and other duties assigned.
- Allows for the adoption of rules.
- Assigns the Chief of Resilience and Emergency Management to supervise the duties and functions of the Office; allows the Director of DHS to appoint the Chief with Governor approval; documents salary authority, duties of the Chief, and authority to appoint division administrators.
- Allows the Office to assist first responders with evacuations; includes and defines vulnerable populations.
- Allows the Office to assist in providing mass care and human services; allows for contracting and grantmaking.
- Describes mass care and human service provision relating to emergencies in the state including housing and shelter, food and water, hygiene and sanitation, first aid and personal care services, and emergency items.
- Allows for data collection on population served; allows for reunification support; allows for collaborating with the State Department on Agriculture for animal and pet care.
- Allows the Office to receive and dispose of donated goods; allows for replacement of property; allows support for the application of additional resources; allows for implementing individual assistance programs.
- Allows the Office to assist with emergency repatriation at the request of the US Department of Health and Human Services.
- Allows for community needs assessments; providing guidance to governmental entities, assess incidents; provide recovery and other communications; and carryout other human service programs in accordance with law.

Section 5

- Allows that if a person is willful, unlawful, malicious, or negligent in the origin or spread of a fire, the Department of Human Services can recoup actual costs for human service provision related to that fire.
- Requires that person to pay costs with 90 days of written demand for payment; allows for interest to accrue for non-repayment; allows for prosecution of costs.
- Allows an itemized statement of costs constitutes prima facie evidence of costs; allows for lien on property for costs; describes lien process; allows for interest on the lien.
- Allows district attorneys or the Attorney General to prosecute liens or foreclosure; liens cease to exist unless suite for foreclosure is instituted withing 12 months of filing.
- Allows the court to award reasonable attorney fees at trial and on appeal.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces the measure.

Section 1

- Establishes the Office of Resilience and Emergency Management (OREM) in the Department of Human Services (DHS).
- Assigns duties described in the Oregon Comprehensive Emergency Management Plan; supports the Department in delivery and administration of program; ensures continuity of operations, requires consultation with other departments and entities to develop and publish a plan for mobilizing resources to provide mass care; and other duties assigned.
- Allows contracting and grantmaking; allows for the adoption of rules.

Section 2

- Assigns the Director of Resilience and Emergency Management Resilience to supervise the duties and functions of the Office; allows the Director of DHS to appoint the Chief; documents salary authority, duties of the Chief, and authority to appoint division administrators.

Section 3-4

- Allows the Office to assist local governments with evacuation; includes and defines vulnerable populations.
- Allows the Office to assist in providing mass care and human services; describes mass care and human service provision relating to emergencies in the state including housing and shelter, food and water, hygiene and sanitation, first aid and personal care services, and emergency items.
- Allows for data collection on population served; allows for reunification support; allows for collaborating with the State Department on Agriculture for animal and pet care.
- Allows the Office to receive and dispose of donated goods; provide for the replacement of property; assist the public to apply for additional benefits; and implement individual assistance programs.
- Allows the Office to assist with emergency repatriation at the request of the US Department of Health and Human Services.
- Allows for community needs assessments; providing guidance to governmental entities, assess incidents; provide recovery and other communications; and carryout other human service programs in accordance with law.

BACKGROUND:

According to the Oregon Department of Human Services, the Office of Resilience and Emergency Management (OREM) was established during the 2020 wildfires to address mass care, emergency evacuation and other critical needs in Oregon's impacted communities. The new office was staffed largely by non-budgeted positions to ensure a timely response.

The Oregon Department of Forestry (ODF) is required by law to investigate all wildfires on or near ODF-protected lands. Investigations focus on determining the wildfire's origin, cause, and identifying the responsible party. If a party is found liable, ODF can pursue cost recovery and prepare for litigation.