

D R A F T

SUMMARY

Directs Office of Emergency Management and Oregon Homeland Security Council to develop and administer grant program to distribute emergency preparedness equipment to local governments and other recipients.

Authorizes sale of bonds under Article XI-Q of Oregon Constitution to fund grant program.

Establishes Resiliency Grant Fund. Continuously appropriates moneys in fund to Office of Emergency Management.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to emergency preparedness; and declaring an emergency.

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

SECTION 1. (1) As used in this section:

(a) “Emergency” has the meaning given that term in ORS 401.025.

(b) “Preparedness equipment” means equipment, tools, vehicles or other property, or fixtures or improvements upon real property, that may be used to decrease the risk to life and property resulting from an emergency.

(c) “Recipient” means an entity that applies for and receives preparedness equipment under the grant program described in subsection (3) of this section.

(2)(a) The Oregon Homeland Security Council shall develop a list of preparedness equipment that is needed throughout this state to address deficiencies in the ability of the state to respond to local and regional emergencies.

(b) In developing the list, the council shall consult and coordinate

1 with the Office of Emergency Management and with county officials
2 who are responsible for emergency management.

3 (c) The council shall assign a priority level to each type of
4 preparedness equipment on the list, taking into consideration, without
5 limitation, the types of emergency that are most likely to occur in
6 different regions of this state and the types of preparedness equipment
7 that offer the highest ratio of utility to cost. The council shall peri-
8 odically update and revise the list.

9 (3) The Office of Emergency Management shall develop and admin-
10 ister a grant program to distribute preparedness equipment to recipi-
11 ents throughout this state. Pursuant to the grant program:

12 (a) Any entity with responsibility for or expertise in emergency
13 preparedness, including a local government or a private entity, may
14 apply to receive preparedness equipment that is identified on the list
15 described in subsection (2) of this section. Applicants must demon-
16 strate a need for the specific preparedness equipment requested, the
17 ability to maintain the preparedness equipment and the ability to use
18 the preparedness equipment to address deficiencies in local or regional
19 emergency preparedness.

20 (b) The office shall identify which requests from applicants, if ful-
21 filled, will maximize the state's ability to respond to an emergency,
22 taking into account considerations that include but are not limited to:

23 (A) The level of priority assigned to the requested preparedness
24 equipment type pursuant to subsection (2) of this section;

25 (B) The level of need for the requested preparedness equipment
26 demonstrated by the applicant;

27 (C) The ability to use and maintain the preparedness equipment
28 demonstrated by the applicant;

29 (D) The types of emergency most likely to occur in the region where
30 the applicant is located; and

31 (E) Whether the applicant has an alternative means of acquiring

1 the requested preparedness equipment.

2 (c) The office shall issue grants to the applicants identified under
3 paragraph (b) of this subsection. The office may either purchase the
4 requested preparedness equipment for distribution to the recipient or
5 disburse grant funding to the recipient for the purchase of the re-
6 quired preparedness equipment.

7 (d) The office may not issue a grant under this section unless the
8 office and the intended recipient first enter into a grant agreement.

9 The grant agreement:

10 (A) Shall require the recipient to repair, perform upkeep on and
11 otherwise maintain the preparedness equipment as a condition of
12 maintaining possession of the preparedness equipment.

13 (B) Shall specify that the office may conduct periodic inspections
14 of the preparedness equipment as described in paragraph (e) of this
15 subsection.

16 (C) Shall specify that preparedness equipment distributed to the
17 recipient remains the property of the office, but that if the office dis-
18 poses of the preparedness equipment, the office shall grant the right
19 of first refusal to purchase the preparedness equipment to the recipi-
20 ent.

21 (D) May permit the recipient to use the preparedness equipment for
22 any purpose, including nonemergency purposes.

23 (E) May require the recipient to pay the office for the use of the
24 preparedness equipment.

25 (e) The office shall conduct periodic inspections of preparedness
26 equipment distributed through the grant program to ensure that re-
27 cipients are sufficiently maintaining the preparedness equipment. The
28 office may take possession of any preparedness equipment that is not
29 sufficiently maintained.

30 (f) If the office disposes of preparedness equipment for any reason,
31 the office shall deposit any moneys it receives from the disposal in the

1 **Resiliency Grant Fund established under section 2 of this 2016 Act.**

2 (4) **The office may expend moneys appropriated to the office under**
3 **section 2 of this 2016 Act as necessary to perform the duties assigned**
4 **to the office under this section.**

5 (5) **On or before December 31 of each year, the office shall submit**
6 **a report to the Legislative Assembly and to the Oregon Homeland Se-**
7 **curity Council that describes the administration and effectiveness of**
8 **the grant program established under this section.**

9 (6) **The office shall adopt rules to administer and implement the**
10 **provisions of this section.**

11 **SECTION 2. The Resiliency Grant Fund is established in the State**
12 **Treasury, separate and distinct from the General Fund. Interest**
13 **earned by the Resiliency Grant Fund must be credited to the fund. The**
14 **Resiliency Grant Fund consists of moneys deposited in the fund under**
15 **section 3 of this 2016 Act and may include moneys appropriated, allo-**
16 **cated, deposited or transferred to the fund by the Legislative Assembly**
17 **or otherwise and interest earned on moneys in the fund. The moneys**
18 **in the fund are continuously appropriated to the Office of Emergency**
19 **Management for the purposes specified in section 1 of this 2016 Act.**

20 **SECTION 3. (1) The State Treasurer may issue bonds as authorized**
21 **in Article XI-Q of the Oregon Constitution in an amount not to exceed**
22 **\$10 million for the purposes specified in section 1 of this 2016 Act, plus**
23 **an amount estimated by the State Treasurer to pay estimated bond-**
24 **related costs.**

25 (2) **The State Treasurer shall deposit the net proceeds of bonds is-**
26 **sued pursuant to this section in the Resiliency Grant Fund established**
27 **under section 2 of this 2016 Act.**

28 **SECTION 4. This 2016 Act being necessary for the immediate pres-**
29 **ervation of the public peace, health and safety, an emergency is de-**
30 **clared to exist, and this 2016 Act takes effect on its passage.**

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