

HOUSE AMENDMENTS TO HOUSE BILL 3225

By COMMITTEE ON RULES

May 28

1 On page 1 of the printed bill, line 2, after “materials;” delete the rest of the line and delete lines
2 3 and 4 and insert “and declaring an emergency.”.

3 Delete lines 6 through 22 and delete pages 2 through 12 and insert:

4 **“SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS 453.307 to**
5 **453.414.**

6 **“SECTION 2. (1) As part of the plan for the effective implementation of a statewide**
7 **hazardous material emergency response system established by rule under ORS 453.374, the**
8 **State Fire Marshal shall adopt by rule a plan for the coordinated response to oil or hazardous**
9 **material spills or releases that occur during rail transport. The plan adopted under this**
10 **subsection:**

11 **“(a) Shall address with a specific focus on oil or hazardous material spills or releases that**
12 **occur during rail transport all required provisions under ORS 453.374;**

13 **“(b) May include requirements and incentives for local governments and other responders**
14 **to participate in ongoing training programs;**

15 **“(c) Shall provide a system for identifying where hazardous material response materials**
16 **owned by railroads are located throughout this state and how access to those materials is**
17 **to be coordinated; and**

18 **“(d) May include any other information deemed necessary by the office of the State Fire**
19 **Marshal to provide coordinated response to oil or hazardous material spills or releases that**
20 **occur during rail transport.**

21 **“(2) The office of the State Fire Marshal shall annually coordinate with local govern-**
22 **ments, other state agencies involved in hazardous material emergency response, other**
23 **responders and representatives of the railroad industry to prepare a report on the coordi-**
24 **nated response plan adopted under this section and shall:**

25 **“(a) Make the report available as an appendix to the Office of Emergency Management’s**
26 **oil and hazardous material response emergency operations plan developed pursuant to ORS**
27 **401.092; and**

28 **“(b) No later than February 1 of each year, submit the report to the Legislative Assembly**
29 **in the manner provided in ORS 192.245.**

30 **“(3) The report required by subsection (2) of this section shall include, but need not be**
31 **limited to, the following in relation to oil and hazardous material emergency response for rail**
32 **transport:**

33 **“(a) An inventory of all emergency response resources available in this state, including**
34 **information on:**

35 **“(A) The location of, and the means of access to, the resources;**

1 **“(B) Whether the resources are publicly or privately maintained; and**
2 **“(C) Additional resources that are needed to provide for adequate response;**
3 **“(b) Suggested changes to the structure for the continued coordination between state**
4 **agencies and industry;**
5 **“(c) Possible revisions to the response roles or responsibilities of state agencies, local**
6 **governments and railroads; and**
7 **“(d) Strategies for ensuring adequate funding at the state and local government levels**
8 **to cover the training, equipment and administrative costs associated with providing com-**
9 **prehensive response and equipment.**
10 **“SECTION 3. Sections 1 and 2 of this 2015 Act become operative on January 1, 2016.**
11 **“SECTION 4. (1) The Oil and Hazardous Material Transportation by Rail Action Fund is**
12 **established in the State Treasury, separate and distinct from the General Fund. The Oil and**
13 **Hazardous Material Transportation by Rail Action Fund shall consist of all moneys placed in**
14 **the fund as provided by law and any gifts, grants, donations, endowments or bequests from**
15 **any public or private source. Interest earned by the fund shall be credited to the fund.**
16 **“(2) All moneys in the fund are continuously appropriated to the Department of State**
17 **Police for use by the office of the State Fire Marshal only for the payment of costs associ-**
18 **ated with the development and effective implementation of the plan adopted under section 2**
19 **of this 2015 Act for the coordinated response to oil or hazardous material spills or releases**
20 **that occur during rail transport.**
21 **“SECTION 5. This 2015 Act being necessary for the immediate preservation of the public**
22 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
23 **on its passage.”.**
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