

2022 CRSOA LEGISLATIVE SESSION FINAL REPORT



TABLE OF CONTENTS

2022 Legislative Session Overview	1
2022 Interim Process	3
Looking Forward to the 2023 Legislative Session	4
Initiative Petitions	4
Legislative Referrals	5
Maritime-Related Bills - Failed	5
SB 1551 – OBMP Repeal of Residency Requirement for Licensees	5
Budget Bills	5
HB 5202 – Budget Reconciliation	5
SB 5701 – General Obligation Bonding	6
SB 5703 – Lottery Bonding	6
Election Bills that Passed	7
HB 4133 – Voter Registration	7
Environmental Bills that Passed	7
SB 1501 – Private Forestry Accord	7
SB 1567 – Oregon’s Critical Energy Infrastructure Hub	7
Environmental Bills that Failed	8
HB 4141 – Petroleum Diesel Phase-Out	8
HB 4148 – Mitigation Credits for Salmon Habitat Restoration	8
Labor Bills That Passed	9
SB 1514 – Pay Equity Exemption	9
SB 1515 – Paid Family & Medical Leave Insurance Benefit Year	9
SB 1586 – Non-Disclosure Agreements	9
Public Safety Bills That Passed	10
HB 4068 – OEM Reorganization Cleanup	10

2022 Legislative Session

Oregon's Sixth Constitutionally Required Annual Legislative Session

Voters approved Ballot Measure 71 at the November 2010 ballot. They rejected a similar measure in 1990, but resoundingly supported the Constitutional amendment in 2010 with 68% of voters favoring annual sessions. Some of the arguments supporting the amendment included the following justifications and reasons to support the measure included:

- The Legislature will meet for fewer days overall and will be able to provide greater accountability and more consistent budgeting.
- By not waiting every two years to do the people's business, taxpayer dollars would be enhanced through government transparency and efficiency.
- The Legislature could increase responsiveness and get the greatest value for every tax dollar to improve the delivery of vital services.

Annual legislative sessions are now limited to a maximum of 35 days in even-numbered years and 160 days in odd-numbered years. This was the sixth, even-numbered year, constitutionally mandated legislative session.

2022 LEGISLATIVE SESSION OVERVIEW

Since the conclusion of the long session on June 18, 2021, the Legislature convened for two special sessions. The first special session was held in September (2021) and focused on redrawing legislative and congressional districts; this resulted in significant acrimony between the two parties. The second special session, held in mid-December (2021), addressed on-going COVID-19 pandemic related issues like rental assistance. The assembly also extended assistance to the agricultural sector due to on-going drought conditions in the state and addressed some of the emerging challenges created by the multitude of illegal cannabis grows located primarily in Southern Oregon.

In the weeks and months leading up to the 2022 short session, several resignations resulted in a raft of new members and new leadership was installed. Tina Kotek, Oregon's longest serving Speaker of the House, resigned after five sessions as Speaker to make a bid to become the state's next Governor. Furthermore, Representative Barbara Smith-Warner resigned as the Democratic Majority Leader. Rep. Dan Rayfield (D-Corvallis), a four-term Democrat and previous Co-Chair of the powerful Ways & Means Committee, was elected as the new House Speaker, and Representative Julie Fahey (D-Eugene) was elected as the new Democratic Majority Leader. On the other side of the aisle, Rep. Christine Drazen resigned her seat and her position as Republican Leader to run for Governor. She was replaced by Vicki Breese-Iverson (R-Prineville) as the new Minority Leader. There were 11 new members of the legislative assembly that were appointed to office since the previous election in 2020. In the Senate, Tim Knopp (R-Bend) was elected by his colleagues to serve as the new Republican Leader in the

Senate. Long-serving member Senator Betsy Johnson resigned to conduct an independent run for Governor. Additionally, Oregon's longest serving legislator and longest serving President of the Senate, Peter Courtney, announced that he would not seek another term in the Oregon Senate, thereby ending a nearly 30-year span of service in Oregon's Legislative Assembly.

The 81st Oregon Legislative Assembly, 2022 Regular Session convened on February 1st with Democrats controlling the Senate by an 18 to 11 margin with one Independent member. In the House of Representatives, Democrats held a 37 to 23 majority over their Republican counterparts. Measures that were not posted for a work session by February 7th were considered dead, and those that were posted but had not been moved out of their originating committee by February 14th were also considered dead under the provisions of Senate Concurrent Resolution 25 (2021). As a result of these deadlines, many of the bills introduced and printed at the beginning of the session saw no further action. Bills that moved to the second chamber were required to be posted for a work session by February 18th and moved out of committees by the 24th. These timelines did not apply to the Joint Ways & Means Committee, neither chamber's Rules Committees, the House and Senate Finance and Revenue Committees, or other "Joint" committees.

Entering the short session, a great deal of attention had been given to agriculture worker overtime. Attempts to enact similar legislation in the previous session had failed and a workgroup was formed during the interim with the hope of reaching a compromise, but those efforts failed as well. Democrats, mostly from urban areas of the state, stated that the exemption to overtime for farm workers was a remnant from a time where people of color were the subject of discrimination in Oregon. Furthermore, farm workers have been subjected to extraordinarily difficult working conditions recently due to heat and smoke while continuing to feed Oregonians during a world-wide pandemic. Republicans, on the other hand, worried that the new overtime requirements would force some farms to mechanize, thereby reducing working opportunities or would simply strangle small family farms and eliminate their ability to survive. As the bill progressed, Republicans attempted to slow the process by requiring all bills be read in their entirety prior to a floor vote. The result was a slow-down in each chamber that lasted for much of the session.

State coffers were full of money from unspent federal financial relief funds and state tax revenues that far exceeded projections considering the circumstances and the number of people who were forced out of work due to the pandemic. The December state economic and revenue forecast projected \$1.5 billion more in revenue than budgeted for the 2021-2023 biennium. When lawmakers received their March forecast in mid-February, projections showed that they had an additional \$800 million available to spend. That is after the state sends taxpayers a \$1.9 billion in kicker refunds for the 2021 tax year.

As in previous short sessions, policy makers were intent on addressing more than budget adjustments and technical fixes. Policy measures were filed to address several issues including Ethics Commission oversight of public meetings, press access to emergency areas, illegal cannabis grows, a private forestry accord, adoption of building reach codes, a petroleum diesel

phase-out, making school districts whole after devastating wildfires impacted student enrollment, affordable housing, and homelessness. Leadership limited each member's ability to introduce legislation to a maximum of two bills in the House and, for the first time, Senate members were allowed to introduce two bills (unlike previous short sessions when each Senate member was allowed to introduce only one bill). Committees were prohibited from introducing more than three pieces of legislation, with a few exceptions. In the end, 275 pieces of legislation were introduced for consideration.

A few high-profile measures made it to the Governor's desk including farm worker overtime and the private forestry accord, but many others died due to the short timelines. The bigger impacts across the state will be felt from the record amount spending during this short session. Aside from individual earmarks, approximately \$300 million was spent on an education package to address the staffing crisis in Oregon's schools, create summer learning opportunities, support wild-fire impacted school districts, and address education disparities; \$400 million was allocated for affordable housing and homelessness; \$200 million investment in workforce development to help workers gain access to skills and training; \$300 million cost of living relief package, including direct, one-time relief payments of \$600 that will help more than 240,000 low-wage workers; \$120 million to move an elementary school in Portland; over \$300 million for healthcare needs; \$100 million climate resilience budget; and \$100 million to help rebuild critical infrastructure in rural Oregon. The legislature's end of session "Christmas Tree" bill included \$2.2 billion in federal funds, \$2.1 billion in other funds, \$1.5 billion in general fund, and \$82.1 lottery funds that resulted in a grand total of \$5.8 billion in total expenditures.

The Legislative Assembly adjourned sine die shortly before noon on March 4th – three days short of the constitutionally required adjournment. Of the 275 bills and resolutions introduced, roughly 2/3 of the bills passed.

This fall, elections will be held for all 60 seats in the state House, along with 16 state Senate seats, all six of Oregon's U.S. House seats, U.S. Senator Ron Wyden's seat will be up, the Governorship, and the Commissioner for Bureau of Labor.

2022 INTERIM PROCESS

The legislature has designated three separate blocks of "interim committee days" to receive reports and updates on designated issues and to preview legislative concepts for 2023:

- June 1st – 3rd
- September 21st – 23rd
- December 7th – 9th

Several key dates for interest groups seeking to introduce legislation are listed below:

- September 23rd – Pre-Session Legislative Requests Due
- December 5th – Pre-Session Legislative Drafts Returned
- December 21st – Pre-Session Filing Closes

State agencies must submit legislative concepts to the Department of Administrative Services (DAS) by April 15, 2022. DAS will approve introduction of agency concepts by June 3, 2022. Legislative counsel will have completed all agency legislative concept drafts by October 28, 2022. The Governor's office will then review approved DAS legislative concepts. Pre-session filing closes for state agencies on December 9, 2022.

LOOKING FORWARD TO THE 2023 LEGISLATIVE SESSION

Composition of the Legislative Assembly

The House of Representatives currently is comprised of 37 Democrats and 23 Republicans. Democrats currently have a super majority, which allows them to vote for tax increases without the need of a single Republican member. Of the 60 members of the Oregon House sworn in last year, 26 –or 43%– will not run for their seats this year. Five of the 60 seats did not draw an opponent from the opposite party (one Democrats and four Republicans), and they are guaranteed to hold that seat in the November General Election.

Democrats control the Senate by an 18 – 11 margin with one Independent – also giving them a super majority allowing them to vote for tax increases without the need of a single Republican member.

Kate Brown is unable to seek another term due to term limits. The two leading Democrats vying to be Oregon's next Governor are former House Speaker Tina Kotek and current State Treasurer Tobias Read. Former House Minority Leader Christine Drazen, Salem oncologist and former gubernatorial candidate Bud Pierce, along with Sandy Mayor Stan Pulliam, are contending for the Republican nomination. Former Senator Betsy Johnson is running as an independent candidate for the center office. Current Labor Commissioner Val Hoyle is running to replace retiring Congressman Peter DeFazio, while Senator Ron Wyden seeks another six-year term in the U.S. Senate.

INITIATIVE PETITIONS

Initiative petition sponsors have until July 8, 2022, to submit the required number of valid signatures to place a measure on the ballot. Measures that propose to change Oregon's Constitution need 149,360 valid signatures and statutory changes require 112,020 signatures.

Several measures have been approved for signature gathering for the upcoming ballot. These include changes to the tax refund kicker by increasing the minimum tax on all corporations with Oregon sales exceeding \$25 million to 3% and eliminating the minimum tax cap; ranked choice voting; the repeal of prostitution laws; limiting large capacity magazines and military style weapons; privatization of alcohol; and one that would disqualify legislators with 10 unexcused absences from seeking re-election. At this time, it is difficult to predict what will and won't

appear on the November ballot.

LEGISLATIVE REFERRALS

The 2021 legislative assembly referred two measures to the voters statewide for the general election in November. The first measure, SJR 12, would amend the Oregon Constitution to add that the state “ensure that every resident of Oregon has access to cost-effective, clinically appropriate, and affordable health care as a fundamental right balanced against the requirements to fund schools and other essential services”.

The second referral, SJR 10, is a constitutional amendment that would remove language in the Oregon Constitution allowing slavery and involuntary servitude as a punishment for a crime. Each of these measures will be on the November 2022 ballot.

MARITIME-RELATED BILLS - FAILED

SB 1551 – OBMP Repeal of Residency Requirement for Licensees

Established in 1846, the Oregon Board of Maritime Pilots is responsible for promoting public safety in the state's ports by assuring that only well-qualified persons are licensed to pilot vessels that enter and leave the ports. The Board is established within the Public Utilities Commission of Oregon. Under current law, the Board is required to establish a licensing system for persons to assist the master of a vessel while the vessel is on, approaching, or departing specified bar and river pilotage grounds in the state. The Board must also investigate incidents and regulate the amount that pilots may charge for their services. The Governor appoints all nine members of the board for a term of four years. Three members are designated public members, three must be licensees, and three must have operated or represented oceangoing vessels for at least three years immediately preceding their appointment and during their term. The law places requirements and limitations on each type of member, including that licensee appointees must be residents of the state. This bill would have removed the requirement that a licensee member of the Oregon Board of Maritime Pilots be a resident of Oregon.

BUDGET BILLS

HB 5202 – Budget Reconciliation

Chapter Law: Not Assigned Effective Date: April 4, 2022

This bill is the omnibus budget reconciliation bill for the 2022 legislative session, implementing the statewide rebalance plan that addresses changes in projected revenues and expenditures since the close of the 2021 session. HB 5202 allocated approximately \$1.4 billion in funds including the following:

- Nearly \$200 million General Fund in state agencies' budgets for employee compensation increases and pension obligation bond cost adjustments,
- \$120 million to relocate Harriet Tubman Middle School in Portland,
- \$150 million General Fund for a 2022 summer learning program,
- \$65 million for the Oregon Worker Relief Fund to aid those who have lost their jobs but are ineligible for Unemployment Insurance,
- One-time allocation of \$100 million General Fund a variety of programs that bolster and support the childcare sector in the state,
- \$400 million to increase the affordable housing supply, and support homelessness response efforts in specific communities,

SB 5701 – General Obligation Bonding Bill

Chapter Law: Not Assigned Effective Date: April 4, 2022

SB 5701 increases bond authorizations for the 2021-23 biennium and makes changes to previously approved bonds authorizations. Much of the bonding went to OLCC warehouses, university, and community college facilities. However, one of note is an authorization to the Oregon Department of Emergency Management, Resiliency Grant Fund. The legislature approved \$5,105,000 Article XI-Q bonds to finance \$5,000,000 of project costs and \$105,000 for costs of issuing the bonds. The bond proceeds will be used to purchase emergency preparedness equipment, which will be owned by ODEM and distributed to local governments and other federal tax-exempt qualified recipients through the State Preparedness and Incident Response Equipment Grant (SPIRE) program. A maximum of \$1,000,000 may be spent on urban search and rescue preparedness equipment.

SB 5703 – Lottery Bonding Bill

Chapter Law: Not Assigned Effective Date: April 4, 2022

The Department of Administrative Services, Office of Economic Analysis, March 2022 revenue forecast of 2021-23 biennium lottery resources is \$90.8 million (or 5.3%) above the level assumed in the 2021-23 legislatively adopted budget. Three allocations are specified in the constitution:

- The Education Stability Fund receives 18 percent of net lottery proceeds,
- The Parks and Natural Resources Fund receives 15 percent of net lottery proceeds, and
- The Veterans' Services Fund receives 1.5 percent of net lottery proceeds.

Based on the March 2022 forecast of lottery revenues, the constitutionally dedicated distributions are increased by the following amounts (or 5.1%) over the levels anticipated in the 2021-23 legislatively adopted budget:

- Education Stability Fund – \$15.2 million,
- Parks and Natural Resources Fund – \$12.7 million,
- Veterans' Services Fund – \$1.3 million.

ELECTION BILLS THAT PASSED

HB 4133 – Voter Registration

Chapter Law: 19 Effective Date: April 4, 2022

On March 1, 2010, Oregon became the fourth state in the nation to provide online voter registration. In 2009, the Legislative Assembly passed House Bill 2386 directing the Secretary of State (SOS) to adopt an electronic voter registration system. In addition to online voter registration, Oregonians may register to vote by returning a voter registration form by mail, in person at a county elections office, or automatically after a qualifying interaction with the Oregon Department of Motor Vehicles (Oregon Motor Voter). House Bill 4133 allows individuals to register to vote online with the last four digits of their Social Security number and to electronically submit an image of their signature for use in elections.

ENVIRONMENTAL BILLS THAT PASSED

SB 1501 – Private Forestry Accord

Chapter Law: 33 Effective Date: March 17, 2022

SB 1602 (2020 First Special Session) directed Governor Brown to facilitate mediation sessions between members of forest industry and environmental interests to discuss changes to the Oregon Forest Practices Act (FPA) in accordance with a Memorandum of Understanding announced by the Governor on February 10, 2020. The purpose of the mediation sessions was to recommend substantive and procedural changes to Oregon FPA laws and regulations to advance the attainment of federal regulatory assurances for aquatic and riparian-dependent species. Senate Bill 5711 (2020 First Special Session) appropriated funds to pay the costs of contracted services for this mediation. On October 31, 2021, the Governor announced that the parties had reached an agreement. The agreement is memorialized in the Private Forest Accord Report. The agreement directs changes to the FPA and regulations, the development of a Habitat Conservation Program, and the issuance of an incidental take permit under the federal Endangered Species Act (ESA). Among the many results of this will be larger riparian buffers on waterways going through privately held forests.

SB 1567 – Oregon’s Critical Energy Infrastructure Hub

Chapter Law: 99 Effective Date: June 3, 2022

Senate Bill 1567 requires owners or operators of bulk oil and liquid fuels terminals located in Columbia, Multnomah, or Lane Counties to conduct and submit seismic vulnerability assessment to the Department of Environmental Quality (DEQ) by June 1, 2024. The seismic vulnerability assessment must include:

- Seismic risk assessment conducted by qualified professionals using the most recent industry standards,
- Determination of the bulk oils or liquid fuels terminal’s vulnerability to liquefaction triggering and liquefaction consequences,
- Determination whether the certain existing structures or supporting facilities have been designed, improved, or retrofitted to reduce potential for significant structural damage in event of a Cascadia Subduction Zone earthquake, and
- Determination of most vulnerable structures to seismic risks and the potential of those structures to maintain safe operating conditions or safe shut down procedures.
Requires DEQ to review and approve seismic vulnerability assessments.

The measure authorizes Environmental Quality Commission (EQC), in consultation with the State Department of Geology and Mineral Industries (DOGAMI), to adopt requirements for the seismic vulnerability assessment by rule and to require owner to submit updates under certain circumstances no more than once every three years. SB 1567 requires the owner or operator of bulk oils or liquid fuels terminal to properly implement seismic risk mitigation implementation plan approved by DEQ. Additionally, DEQ must submit a report on seismic vulnerability assessments to interim committees of Legislative Assembly by November 1, 2024.

ENVIRONMENTAL BILLS THAT FAILED

HB 4141 – Petroleum Diesel Phase-Out

As originally introduced, this bill would have set timelines for the prohibition of non-retail sale of petroleum-derived diesel to consumers for use in motor vehicles as follows: January 1, 2025 in Clackamas, Washington, and Multnomah counties; January 1, 2027 in western Oregon; and January 1, 2029 throughout all of Oregon. Retail sale of petroleum diesel would be prohibited a year later for both the three-county and western Oregon in 2025 and 2028 but would likewise be prohibited statewide beginning January 2029. Additionally, HB 4141 directed the Oregon Department of Agriculture to study petroleum diesel and renewable diesel supplies in Oregon. The study was to look at whether the supply of alternatives to petroleum diesel would be sufficient to meet the anticipated demand for fuel while satisfying the timeline requirements, and to determine whether the cost of renewable diesel exceeded the cost of petroleum diesel by greater than ten percent. The bill was ultimately turned into a study bill that remained in the Joint Ways & Means Committee upon adjournment.

HB 4148 – Mitigation Credits for Salmon Habitat Restoration

House Bill 4148 would have directed the Department of State Lands (DSL), in consultation with Oregon Department of Fish and Wildlife (ODFW), to establish a salmon credit program to encourage voluntary restoration of salmonid habitat and allow individuals to meet compensatory mitigation obligations. In establishing the salmon credit program, DSL would have had to: identify waters of this state and adjacent agricultural lands and forestlands

suitable for salmon credit projects; establish requirements for salmon credit projects, including: prioritizing salmon credit projects that would provide the greatest increase in functions and values of water resources associated with salmon credit projects; develop a system for measuring the functions and values of water resources associated with salmon credit project sites and sites for which a salmon credit would be purchased; establish procedures for the inspection, certification, and recertification of salmon credit projects; establish a salmon credit price; and establish a method for calculating the amount of salmon credit dividend payments.

LABOR BILLS THAT PASSED

SB 1514 – Pay Equity Exemption

Chapter Law: 23 Effective Date: March 7, 2022

Oregon's pay equity law makes it an unlawful employment practice for an employer to pay wages or other compensation to any employee at a rate greater than other employees of a protected class for work of a comparable character. Employers may not reduce compensation to comply and are liable for unpaid wages if they violate the pay equity law. In 2021, the Legislative Assembly passed House Bill 2818, to remove hiring and retention bonuses from the definition of "compensation" for purposes of the pay equity law. The change applied only to complaints filed with the Bureau of Labor and Industries (BOLI) and to claims filed in circuit court on or after May 25, 2021, until March 1, 2022. Senate Bill 1514 removes hiring and retention bonuses from the definition of "compensation" for purposes of the pay equity law and applies the change to complaints filed with BOLI and to claims filed in a circuit court during the period beginning on or after March 1, 2022, until 180 days following the expiration of the state of emergency that was first declared by the Governor on March 8, 2020.

SB 1515 – Paid Family & Medical Leave Insurance Benefit Year

Chapter Law: 24 Effective: January 1, 2023

This bill defines a "benefit year" for the purposes of the Paid Family Medical Leave Insurance (PFMLI) program to mean a period of 52 consecutive weeks beginning the Sunday before leave commences, or 53 weeks if necessary to avoid overlap with any quarter of the base year of a previously filed valid claim. SB 1515 removes the requirement that the Director of the Oregon Employment Department determine the 12-month benefit year and establish alternatives by which an employer may determine a benefit year period.

SB 1586 – Non-Disclosure Agreements

Chapter Law: 107 Effective Date: January 1, 2023

The Legislative Assembly passed the Workplace Fairness Act (WFA) in 2019. Under the WFA, a private employer must adopt a written policy outlining their procedures and practices for reducing and preventing discrimination and sexual assault. The WFA also prohibits employers from entering into a nondisclosure agreement (NDA) as a condition of employment, continued

employment, promotion, sexual assault that occurred between employees or between the employer and the employee.

In 2019, the Legislative Assembly passed Senate Bill 479 which applied the same requirements and prohibitions to public employers. The law currently provides two exceptions that would permit an employer to enter into an otherwise prohibited NDA. First, an NDA is permitted if an employee claiming to be aggrieved by employment discrimination requests the NDA as part of a settlement, separation, or severance agreement. Second, an NDA is permitted if the employer makes a good faith determination that the employee engaged in employment discrimination. An aggrieved employee may file a complaint with the Commissioner of the Bureau of Labor and Industries and file a civil action, which can result in recovery of back pay for the prior two-year period as well as compensatory and punitive damages.

Previously, the WFA restricted employers from requesting, in both settlement agreements and separation agreements with employees claiming discrimination under certain statutes, confidentiality and non-disparagement provisions pertaining to conduct that allegedly would constitute discrimination, as well as no-rehire provisions. If an employee requested confidentiality, non-disparagement, or no-rehire, the employer was free to agree to it.

Senate Bill 1586 expands the restrictions to prohibit employers from requesting confidentiality about the amount of or fact of any settlement. Again, that confidentiality provision is still permitted upon the employee's request. The measure makes it a violation of the WFA for an employer to make an offer of settlement or separation conditional upon a request by the employee to include any of these restricted terms.

The bill also requires that employers provide employees with whom the employer seeks to enter into a settlement or separation agreement a copy of the employer's anti-discrimination policy, which is described in ORS 659A.375. When an employer mediates claims or allegations covered by the WFA with an employee who is not represented by an attorney, the bill requires the mediator to provide the unrepresented employee with a copy of the model procedures and policies made available by the Bureau of Labor and Industries under ORS 659A.375.

Finally, SB 1586 allows an individual who files a complaint related to violations to recover liquidated damages of up to \$5,000 (the original version of the bill set the damage amount at \$5,000 vs. up to \$5,000). The original bill rendered confidential communications made during mediation discoverable in litigation and admissible as evidence, but those provisions were removed from the bill prior to its passage.

PUBLIC SAFETY BILLS THAT PASSED

HB 4068 – OEM Reorganization Cleanup

Chapter Law: 55 Effective: March 23, 2022

The Oregon Homeland Security Council was established by House Bill 2101 (2005) to assess risks to the state with an emphasis on domestic terrorism and critical infrastructure. The Council is made up of legislators and the heads of several state agencies. Currently, the Council resides within the Office of the Governor; House Bill 4068 moves it under the umbrella of the Oregon Office of Emergency Management (OEM). The Oregon Pre-Disaster Mitigation Fund was established by House Bill 3626 (2008) to use federal funds for pre-disaster mitigation efforts to issue grants through the Oregon Military Department, which formerly housed OEM. House Bill 4068 transfers the Fund to OEM.

HB 4068 requires all elected officials and state agency administrative directors, as well as all persons in state government management services, to complete an introductory course on incident command and the National Incident Management System (NIMS). Originally issued in 2004, NIMS provides a consistent, nationwide framework for partner agencies and entities throughout federal, state, and local government to work together to prevent, protect against, respond to, recover from, and mitigate the effects of incidents.

The measure also directs OEM to create, fill, and utilize at least six positions to support the emergency notification system. The system is maintained by the Department of State Police, and, beginning July 2022, will operate under a service agreement with OEM for daily operation of the system as a continuously available communications network and a component of the state's emergency operations center. The measure also directs OEM to develop a program of periodic emergency exercises, including: an annual multi-disciplinary, all-hazards emergency response exercise involving at least 10 percent of all public and private safety agencies in the state; and an annual internal exercise testing at least one element of the state's emergency preparedness.

In addition, each county is directed to conduct a tabletop learning exercise each year related to emergency response, except in years when the county's emergency operations center was activated. OEM is directed to consult with the Oregon Homeland Security Council on priorities for these exercises. HB 4068 directs the Oregon Homeland Security Council to establish a program to create an Oregon Critical Disaster Preparedness Stockpile and coordinate the development of a list of essential equipment and materials, as well as the manufacturing capacity and distribution network for those supplies.

The Council is directed to report to legislative committees on efforts taken to establish the stockpile by September 30, 2023. Once this process is complete, the measure directs the Oregon Business Development Department to establish and administer the Oregon Resiliency Partnership Program to ensure the stockpile is maintained.

The bill modifies the membership provisions of the Emergency Preparedness Advisory Council, which is housed within the Office of the Governor, to specify that there should be at least one member of the council with experience or knowledge of each federal emergency support function. HB 4068 requires that the Governor, when making appointments to the Council, consider diversity criteria such as language, socioeconomic status, and experience.

Finally, the measure specifies that, during a declared state of emergency, the Oregon Department of Transportation must issue a commercial driver license to individuals experienced in driving an equivalent military motor vehicle, concurrent with a similar federal waiver. Licenses issued under this authority would remain valid until termination of the emergency.