

House Bill 2166

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Oregon Military Department)

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 **as introduced**.

Directs State Forester to serve as Governor's authorized representative for fire management assistance grants.

A BILL FOR AN ACT

1
2 Relating to State Forester; amending ORS 401.270 and 526.041.

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

4 **SECTION 1.** ORS 401.270 is amended to read:

5 401.270. (1) The Director of the Office of Emergency Management shall be responsible for co-
6 ordinating and facilitating exercises and training, emergency planning, preparedness, response, mit-
7 igation and recovery activities with the state and local emergency services agencies and
8 organizations, and shall, with the approval of the Adjutant General or as directed by the Governor:

9 [(1)] (a) Make rules that are necessary and proper for the administration and implementation
10 of ORS 401.015 to 401.107, 401.257 to 401.325, 401.355 to 401.584 and 401.706;

11 [(2)] (b) Coordinate the activities of all public and private organizations specifically related to
12 providing emergency services within this state;

13 [(3)] (c) Maintain a cooperative liaison with emergency management agencies and organizations
14 of local governments, other states and the federal government;

15 [(4)] (d) Have such additional authority, duties and responsibilities authorized by ORS 401.015
16 to 401.107, 401.257 to 401.325 and 401.355 to 401.584 or as may be directed by the Governor;

17 [(5)] (e) Administer grants relating to emergency program management, seismic rehabilitation,
18 emergency services for the state and the statewide 2-1-1 system as provided in ORS 401.294;

19 [(6)] (f) Provide for and staff a State Emergency Operations Center to aid the Governor and the
20 Office of Emergency Management in the performance of duties under ORS 401.015 to 401.107, 401.257
21 to 401.325, 401.355 to 401.584 and 401.706;

22 [(7)] (g) Serve as the Governor's authorized representative for coordination of certain response
23 activities and managing the recovery process;

24 [(8)] (h) Establish training and professional standards for local emergency program management
25 personnel;

26 [(9)] (i) Establish task forces and advisory groups to assist the office in achieving mandated re-
27 sponsibilities;

28 [(10)] (j) Enforce compliance requirements of federal and state agencies for receiving funds and
29 conducting designated emergency functions;

30 [(11)] (k) Oversee the design, implementation and support of a statewide 2-1-1 system as provided
31 under ORS 401.288; and

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 [(12)] (L) Coordinate the activities of state and local governments to enable state and local
2 governments to work together during domestic incidents as provided in the National Incident Man-
3 agement System established by the Homeland Security Presidential Directive 5 of February 28, 2003.

4 **(2) Notwithstanding subsection (1) of this section, the State Forester shall serve as the**
5 **Governor's authorized representative for the purpose of initiating the fire management as-**
6 **sistance declaration process with the Federal Emergency Management Agency and adminis-**
7 **tering Federal Emergency Management Agency fire management assistance grants.**

8 **SECTION 2.** ORS 526.041 is amended to read:

9 526.041. The forester, under the general supervision of the State Board of Forestry, shall:

10 (1) In compliance with ORS chapter 183, promulgate rules consistent with law for the enforce-
11 ment of the state forest laws relating directly to the protection of forestland and the conservation
12 of forest resources.

13 (2) Appoint and instruct fire wardens as provided in ORS chapter 477.

14 (3) Direct the improvement and protection of forestland owned by the State of Oregon.

15 (4) Collect data relative to forest conditions.

16 (5) Take action authorized by law to prevent and extinguish forest, brush and grass fires.

17 (6) Enforce all laws pertaining to forestland and prosecute violations of such laws.

18 (7) Cooperate with landowners, political subdivisions, private associations and agencies and
19 others in forest protection.

20 (8) Advise and encourage reforestation.

21 (9) Publish such information on forestry as the forester determines to be in the public interest.

22 (10) Enter into contracts and cooperative agreements pertaining to experiments and research in
23 forestry.

24 (11) Sell, exchange or otherwise dispose of any real property heretofore or hereafter acquired
25 by the board for administrative purposes and no longer needed.

26 (12) Coordinate any activities of the State Forestry Department related to a watershed en-
27 hancement project approved by the Oregon Watershed Enhancement Board under ORS 541.375 with
28 activities of other cooperating state and federal agencies participating in the project.

29 (13) Prescribe uniform state standards for certification of wildland fire training courses and ed-
30 ucational programs.

31 **(14) Serve as the Governor's authorized representative for the purpose of initiating the**
32 **fire management assistance declaration process with the Federal Emergency Management**
33 **Agency and administering Federal Emergency Management Agency fire management assist-**
34 **ance grants.**

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