

Enrolled
House Bill 2073

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

CHAPTER

AN ACT

Relating to federal fire management assistance; amending ORS 401.092 and 526.041.

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

SECTION 1. ORS 401.092 is amended to read:

401.092. (1) The Director of the Office of Emergency Management [*shall be*] **is** responsible for coordinating and facilitating exercises and training, emergency planning, preparedness, response, mitigation and recovery activities with the state and local emergency services agencies and organizations, and shall, with the approval of the Adjutant General or as directed by the Governor:

[(1)] (a) Make rules that are necessary and proper for the administration and implementation of this chapter;

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

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

[(4)] (d) Have such additional authority, duties and responsibilities authorized by this chapter or as may be directed by the Governor;

[(5)] (e) Administer grants relating to emergency program management under ORS 401.305, seismic rehabilitation, emergency services for the state and the statewide 2-1-1 system as provided in ORS 403.430;

[(6)] (f) Provide for and staff a State Emergency Operations Center to aid the Governor and the Office of Emergency Management in the performance of duties under this chapter;

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

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

[(9)] (i) Establish task forces and advisory groups to assist the office in achieving mandated responsibilities;

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

[(11)] (k) Oversee the design, implementation and support of a statewide 2-1-1 system as provided under ORS 403.415; and

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

(2) Notwithstanding subsection (1) of this section, the State Forester shall serve as the Governor's authorized representative for the purpose of initiating the fire management assistance declaration process with the Federal Emergency Management Agency and administering Federal Emergency Management Agency fire management assistance grants.

SECTION 2. ORS 526.041 is amended to read:

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

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

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

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

(4) Collect data relative to forest conditions.

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

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

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

(8) Advise and encourage reforestation.

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

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

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

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

(13) Prescribe uniform state standards for certification of wildland fire training courses and educational programs.

(14) Serve as the Governor's authorized representative for the purpose of initiating the fire management assistance declaration process with the Federal Emergency Management Agency and administering Federal Emergency Management Agency fire management assistance grants.

Passed by House April 4, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate May 2, 2011

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

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Kate Brown, Secretary of State