



# Oregon

John A. Kitzhaber, MD, Governor

MEASURE: HB 4072  
EXHIBIT: 5  
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SUBMITTED BY: Charlie Stone

## Department of Forestry

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February 2, 2012



Co-Chairs: Representatives Sal Esquivel and Brian Clem  
House Agriculture and Natural Resources Committee  
Room 347, State Capitol  
Salem, Oregon 97310

### **RE: HB 4072 – FIRE and ICE; SEASONAL FIREFIGHTING PERSONNEL**

Dear Co-Chairs Sal Esquivel, Brian Clem and Members of the Committee:

The Department of Forestry appreciates the opportunity to provide testimony in support of House Bill 4072.

House Bill 4072 is an effort to make clear, or correct the possible lack of, specific authority for a beneficial practice that has been carried on for several years among the Oregon Department of Transportation (ODOT), Forest Protective Associations (associations) and the Department of Forestry (ODF). This practice, known as "Fire and Ice" involves seasonal firefighting employees of the associations and ODF being rehired for a winter season, and then loaned to ODOT on a reimbursable basis to conduct winter highway maintenance programs such as plowing and de-icing.

This practice has long been acknowledged as a good example of efficiency in state government in agency budgeting and discussions with various Ways and Means Sub-Committees, with ODOT having the expenditure authority and ODF having position authority to "get the job done." Further, ODF and ODOT have had cooperative agreements that describe the practice, methods of payment, conditions of employment, etc. It has been assumed, though perhaps incorrectly, that the forest protective associations through ORS 477.406 fit the same mold and have provided employees in the same fashion.

"Fire and Ice" fills an important need for skilled equipment operators with ODOT. It is even more important to the firefighting organizations, because it allows seasonal employees the financial capability to return to seasonal firefighting work year after year, gaining valuable experience and higher levels of training to fill critical firefighting roles not only in their normal daily responsibilities, but also often as participants with incident management teams used to fight our larger forest fires on a statewide basis. The agencies gain additional savings through this program by reducing the amount of unemployment claims paid out.

Current law clearly provides the opportunity and mechanism for this type of cooperation to exist between the two state agencies. HB 4072 will establish that the associations and ODOT may similarly enter into cooperative agreements to accomplish mutually beneficial work.

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Please move HB 4072 to the full House with a "do-pass," recommendation. If I can be of any assistance in facilitating passage of this bill, please call me at (503) 945-7436.

Sincerely,



Charlie Stone  
Fire Protection Policy Analyst

c: Doug Decker, State Forester  
Richard Whitman, Governor's Natural Resource Advisor  
Brett Brownscombe, Policy Advisor, Natural Resources  
ODF Executive Team