

Enrolled
House Bill 4072

Sponsored by Representative ESQUIVEL; Representatives BREWER, HANNA, JENSON, JOHNSON, KRIEGER, MCLANE, PARRISH, ROBLAN, SCHAUFLE, SHEEHAN, G SMITH, WAND, WEIDNER, WHISNANT, WINGARD, Senators KRUSE, OLSEN (Presession filed.)

CHAPTER

AN ACT

Relating to seasonal fire personnel; and declaring an emergency.

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

SECTION 1. Section 2 of this 2012 Act is added to and made a part of ORS 477.406 to 477.412.

SECTION 2. (1) The Department of Transportation and the Douglas Forest Protective Association, the Coos Forest Protective Association, the Walker Range Forest Protective Association or any successor association may enter into contracts that provide for seasonal fire prevention and suppression personnel employed by an association to render off-season services to the Department of Transportation. Services provided under a contract described in this section must be off-season services that State Forestry Department personnel were authorized to perform under one or more contracts or agreements between the Department of Transportation and the State Forestry Department entered into on or before January 1, 2012.

(2) A contract under this section shall specify the functions or activities to be performed and by what means the functions or activities are to be performed. The contract shall provide for:

- (a) Identifying the responsibilities of the parties in ensuring payment of wages to the personnel for the off-season services.
- (b) The term or duration of the contract.
- (c) The rights of the parties to terminate the contract.

(3) A contract under this section may exclude any clause or condition required by ORS 279B.220, 279B.225, 279B.230, 279B.235, 279B.270 or 279C.500 to 279C.530 from the contract.

(4) If the Department of Transportation enters into a contract under this section, the department shall submit a summary of the contract to the Oregon Department of Administrative Services within the 30-day period immediately following the effective date of the contract. The summary must include the following information:

- (a) Names of the parties to the contract.
- (b) Date of the contract.
- (c) Subject matter of the contract.
- (d) The location at which a person may obtain a copy of the contract.

(5) The Department of Transportation shall submit a summary under subsection (4) of this section to the Oregon Department of Administrative Services through electronic means.

SECTION 3. This 2012 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect on its passage.

Passed by House February 17, 2012

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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 February 24, 2012

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2012

Approved:

.....M,....., 2012

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2012

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Kate Brown, Secretary of State