

# House Bill 2145

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Agriculture and Natural Resources)

## 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**.

Establishes task force to make recommendations for prohibiting or limiting state actions or suits against nonnegligent landowners for state forestland damage resulting from fire spreading from other forestland.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to liability for forestland fires; and declaring an emergency.

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

**SECTION 1. (1) The Task Force on Forestland Fire Liability is established, consisting of 13 members appointed as follows:**

**(a) The President of the Senate shall appoint:**

**(A) One member from among members of the Senate.**

**(B) Two members who are knowledgeable regarding forest practices, firefighting or liability issues.**

**(b) The Speaker of the House of Representatives shall appoint:**

**(A) One member from among members of the House of Representatives.**

**(B) Two members who are knowledgeable regarding forest practices, firefighting or liability issues.**

**(c) The Governor shall appoint four members who are knowledgeable regarding forest practices, firefighting or liability issues.**

**(d) The Director of the Department of State Lands shall appoint one representative from the Department of State Lands.**

**(e) The State Forester shall appoint one representative from the State Forestry Department.**

**(f) The Attorney General shall appoint one representative from the Department of Justice.**

**(2) The task force shall develop recommendations for prohibiting or limiting state actions or suits against nonnegligent landowners for damage to state forestlands that results from the spreading of fire from other forestlands.**

**(3) The task force may study, research, hold public hearings and take other actions reasonable for facilitating the development of recommendations described in subsection (2) of this section.**

**(4) A majority of the members of the task force constitutes a quorum for the transaction of business.**

**(5) Official action by the task force requires the approval of a majority of the members**

**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 of the task force.

2 (6) The task force shall elect one of its members to serve as chairperson.

3 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-  
4 ment to become immediately effective.

5 (8) The task force shall meet at times and places specified by the call of the chairperson  
6 or of a majority of the voting members of the task force.

7 (9) The task force may adopt rules necessary for the operation of the task force.

8 (10) The task force shall submit a report in the manner provided by ORS 192.245, and  
9 may include recommendations for legislation, to an interim committee of the Legislative  
10 Assembly related to natural resources no later than October 1, 2014.

11 (11) The State Forestry Department shall provide staff support to the task force.

12 (12) Members of the task force who are not members of the Legislative Assembly are not  
13 entitled to compensation, but may be reimbursed for actual and necessary travel and other  
14 expenses incurred by them in the performance of their official duties in the manner and  
15 amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions  
16 of the task force shall be paid out of funds appropriated to the State Forestry Department  
17 for purposes of the task force.

18 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist  
19 the task force in the performance of its duties and, to the extent permitted by laws relating  
20 to confidentiality, to furnish such information and advice as the members of the task force  
21 consider necessary to perform their duties.

22 **SECTION 2.** Section 1 of this 2013 Act is repealed on the date of the convening of the 2015  
23 regular session of the Legislative Assembly as specified in ORS 171.010.

24 **SECTION 3.** This 2013 Act being necessary for the immediate preservation of the public  
25 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect  
26 on its passage.

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