

House Bill 2454

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for State Forestry 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**.

Revises annual maximum limit for expenditures from Oregon Forest Land Protection Fund.
Declares emergency, effective July 1, 2015.

A BILL FOR AN ACT

1
2 Relating to expenditures from the Oregon Forest Land Protection Fund; amending ORS 477.755 and
3 sections 6 and 7, chapter 619, Oregon Laws 2013; and declaring an emergency.

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

5 **SECTION 1.** ORS 477.755, as amended by section 2, chapter 619, Oregon Laws 2013, is amended
6 to read:

7 477.755. (1) As used in this section, "annual expenditure" means the expenses of the Oregon
8 Forest Land Protection Fund obligated in any 12-month period designated by the Emergency Fire
9 Cost Committee by rule, corresponding to the policy period of any insurance for emergency fire
10 costs.

11 (2) Notwithstanding ORS 291.238, the moneys in the Oregon Forest Land Protection Fund are
12 continuously appropriated to the [*Emergency Fire Cost*] committee for the purposes of:

13 (a) Equalizing emergency fire suppression costs for safeguarding forestland in any forest pro-
14 tection district;

15 (b) Paying necessary administrative expenses, not to exceed the limit authorized by the Legis-
16 lative Assembly each biennium;

17 (c) Contributing to the payment of emergency fire suppression costs insurance premiums, subject
18 to the payment limitation established in ORS 477.775 (4);

19 (d) Paying costs related to the availability and mobilization of emergency fire suppression re-
20 sources on a statewide basis; and

21 (e) Paying for nonroutine purchases of supplemental fire prevention, detection or suppression
22 resources that will enhance the ability of the forester to perform fire protection responsibilities
23 within a forest protection district.

24 (3) Notwithstanding any other provision of law, the annual expenditure from the Oregon Forest
25 Land Protection Fund from revenues received from ORS 321.015 (2), 477.277 (1), 477.295 (1) and (2),
26 477.750 (1) and (2), 477.760 (4) and 477.880 may not exceed: [*the lesser of:*]

27 [*(a) \$13.5 million; or*]

28 [*(b) The sum of:*]

29 (a) **Necessary administrative expenses as determined by the committee and authorized**
30 **under the limit described in subsection (2)(b) of this section;**

31 (b) **Contributions to the payment of emergency fire suppression costs insurance premi-**

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 **ums, subject to the payment limitation established in ORS 477.775 (4); and**

2 **(c) The lesser of \$13 million or the sum of:**

3 (A) The lesser of \$5 million or 50 percent of the eligible annual fire suppression costs determined
4 by the committee;

5 (B) The lesser of \$5 million or the amount by which the eligible annual emergency fire sup-
6 pression costs exceed \$10 million but do not exceed the policy deductible for emergency fire sup-
7 pression costs insurance purchased under ORS 477.775;

8 [(C) Necessary administrative expenses as determined by the committee and authorized under the
9 limit described in subsection (2)(b) of this section;]

10 [(D) Contributions to the payment of emergency fire suppression costs insurance premiums, subject
11 to the payment limitation established in ORS 477.775 (4);]

12 [(E)] (C) The lesser of \$3 million or three-fifths of the actual cost of activities described in ORS
13 477.777 (1)(b) and (c); and

14 [(F)] (D) Any amounts expended for nonroutine purchases described in subsection (2)(e) of this
15 section.

16 **SECTION 2.** ORS 477.755, as amended by sections 2 and 3, chapter 619, Oregon Laws 2013, is
17 amended to read:

18 477.755. (1) As used in this section, “annual expenditure” means the expenses of the Oregon
19 Forest Land Protection Fund obligated in any 12-month period designated by the Emergency Fire
20 Cost Committee by rule, corresponding to the policy period of any insurance for emergency fire
21 costs.

22 (2) Notwithstanding ORS 291.238, the moneys in the Oregon Forest Land Protection Fund are
23 continuously appropriated to the [*Emergency Fire Cost*] committee for the purposes of:

24 (a) Equalizing emergency fire suppression costs for safeguarding forestland in any forest pro-
25 tection district;

26 (b) Paying necessary administrative expenses, not to exceed the limit authorized by the Legis-
27 lative Assembly each biennium;

28 (c) Contributing to the payment of emergency fire suppression costs insurance premiums, subject
29 to the payment limitation established in ORS 477.775 (4);

30 (d) Paying costs related to the availability and mobilization of emergency fire suppression re-
31 sources on a statewide basis; and

32 (e) Paying for nonroutine purchases of supplemental fire prevention, detection or suppression
33 resources that will enhance the ability of the forester to perform fire protection responsibilities
34 within a forest protection district.

35 (3) Notwithstanding any other provision of law, the annual expenditure from the Oregon Forest
36 Land Protection Fund from revenues received from ORS 321.015 (2), 477.277 (1), 477.295 (1) and (2),
37 477.750 (1) and (2), 477.760 (4) and 477.880 may not exceed: [*the lesser of:*]

38 [(a) \$13.5 million; or]

39 [(b) The sum of:]

40 **(a) Necessary administrative expenses as determined by the committee and authorized**
41 **under the limit described in subsection (2)(b) of this section;**

42 **(b) Contributions to the payment of emergency fire suppression costs insurance premi-**
43 **ums, subject to the payment limitation established in ORS 477.775 (4); and**

44 **(c) The lesser of \$13 million or the sum of:**

45 (A) The lesser of \$10 million or 50 percent of the eligible annual fire suppression costs deter-

1 mined by the committee;

2 [(B) Necessary administrative expenses as determined by the committee and authorized under the
3 limit described in subsection (2)(b) of this section;]

4 [(C) Contributions to the payment of emergency fire suppression costs insurance premiums, subject
5 to the payment limitation established in ORS 477.775 (4);]

6 [(D)] (B) The lesser of \$3 million or three-fifths of the actual cost of activities described in ORS
7 477.777 (1)(b) and (c); and

8 [(E)] (C) Any amounts expended for nonroutine purchases described in subsection (2)(e) of this
9 section.

10 **SECTION 3.** Section 6, chapter 619, Oregon Laws 2013, is amended to read:

11 **Sec. 6.** The amendments to ORS 477.755 by section 2, **chapter 619, Oregon Laws 2013, and**
12 **section 1 of this 2015 Act** [of this 2013 Act] apply to expenditures for state and district annual
13 budget periods that begin on or after July 1, 2015. **If this 2015 Act becomes law after July 1, 2015,**
14 **the Legislative Assembly intends that the amendments to ORS 477.755 by section 1 of this**
15 **2015 Act apply retroactively to July 1, 2015.**

16 **SECTION 4.** Section 7, chapter 619, Oregon Laws 2013, is amended to read:

17 **Sec. 7.** The amendments to ORS 477.755 by section 3, **chapter 619, Oregon Laws 2013, and**
18 **section 2 of this 2015 Act** [of this 2013 Act] apply to expenditures for state and district annual
19 budget periods that begin on or after July 1, 2017.

20 **SECTION 5. This 2015 Act being necessary for the immediate preservation of the public**
21 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
22 **July 1, 2015.**