

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 1536 - A

80th Oregon Legislative Assembly – 2020 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Measure Description:

Requires electric company to operate in compliance with risk-based wildfire protection plan acknowledged by Public Utility Commission.

Government Unit(s) Affected:

Oregon Health Authority (OHA), Oregon State Police (OSP), Department of Environmental Quality (DEQ), Counties, Department of Administrative Services (DAS), Oregon Military Department (OMD), Department of Consumer and Business Services (DCBS), Task Force/Committee/Workgroup, Department of Fish and Wildlife (ODFW), Office of the Governor, Public Utility Commission (PUC), Department of Land Conservation and Development (DLCD), Department of Forestry (ODF), Special Districts, Cities

Analysis:

This fiscal impact statement is for the purpose of transmitting the measure from the Senate Committee on Wildfire Reduction and Recovery to the Joint Committee on Ways and Means.

The measure outlines various measures to mitigate wildfire risk in Oregon.

Electric companies must operate in compliance with a risk-based wildfire protection plan approved by the Public Utility Commission (PUC) every three years, in consultation with the Oregon Department of Forestry (ODF) and local emergency services agencies; the first plan is to be submitted by the end of 2020. Consumer-owned utilities must operate in compliance with a risk-based wildfire mitigation plan approved by their governing body. PUC is to periodically convene workshops for utilities on wildfire mitigation procedures.

The Department of Consumer and Business Services (DCBS) may work with the State Fire Marshal and issuers of property insurance policies to develop wildfire risk mitigation approaches for property.

The State Fire Marshal is to establish minimum defensible space requirements for wildfire risk reduction on lands identified as being susceptible to wildfire. The State Fire Marshal may enforce these requirements on land within the jurisdiction of a local government, or contract with a local government for enforcement. If the local government adopts more stringent requirements, then they are responsible for enforcing these additional requirements. The State Fire Marshal is to coordinate a statewide map showing requirements and compliance, and to administer and enforce a program to provide support to local governments in enforcing minimum defensible space requirements. The Wildfire Defensible Space Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Wildfire Defensible Space Fund is credited to the fund and moneys in the fund are continuously appropriated to the State Fire Marshal for the purpose of carrying out the local government financial assistance program. The State Fire Marshal is to annually report to the Legislature on these activities.

Further Analysis Required

The Oregon Health Authority (OHA) is to establish a program to provide smoke filtration systems to people who live in fire prone areas and who suffer health problems as a result of wildfire smoke. OHA may issue grants for installation of certain smoke filtration systems, with standards for systems determined by rule. The Wildfire Smoke Abatement Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the fund is credited to the fund and moneys are continuously appropriated to OHA for the purpose of carrying out this program. With the -3 amendment, the bill appropriates \$1 million General Fund to the Wildfire Smoke Abatement Fund. A Task Force on Wildfire Smoke Health Effects is established to advise on this program. Administrative support is provided by OHA. The task force must submit a report to the Governor, OHA's director and a legislative committee related to natural resources no later than September 15, 2021.

The Office of Emergency Management is directed to establish six positions with responsibility for administering wildfire mitigation and recovery efforts in assigned regions.

ODF is to develop a statewide map of wildfire risk at the property-ownership level, in collaboration with the Department of Land Conservation and Development (DLCD), the State Fire Marshal, and other entities. The map is to be accessible to the public in electronic form.

ODF is to develop and implement a program to treat forest and rangelands to reduce fuel load levels and wildfire risks. The Forestland and Rangeland Treatment Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the fund is credited to the fund. Moneys in the fund are continuously appropriated to ODF for the purpose of carrying out oversight of the forestland and rangeland treatment. ODF is to report regarding the status of program development and implementation under to an interim committee of the Legislative Assembly related to natural resources no later than December 1, 2020.

The State Forester, in collaboration with the State Fire Marshal, state agencies, and local governments is to adopt rules establishing baseline levels of wildfire protection for land outside of forest protection districts and susceptible to wildfire. Counties may assist with wildfire protection activities within jurisdictions, for which the State Forester may provide financial assistance. A county must ensure that all applicable lands have baseline or higher wildfire protection by January 1, 2025.

ODF is direct to contract a consultant to make certain findings and recommendations related to wildfire protection, to be reported to the Governor and an interim committee of the Legislative Assembly related to natural resources no later than September 15, 2022.

The Governor may authorize state and federal partnerships and assign duties to the Governor's Council on Wildfire Response to assist with implementation of this act. The Council is to create a report on a sustainable funding model and report this to the Governor and the Legislative Assembly no later than October 31, 2020.

The measure is anticipated to have an impact on OHA, OSP, DEQ, DAS, OMD, DCBS, ODFW, the Office of the Governor, PUC, DLCD, ODF, Special Districts, Counties, and Cities.

A more complete fiscal analysis on the measure will be prepared as the measure is considered in the Joint Committee on Ways and Means.

Further Analysis Required