

HB 4168 B BUDGET REPORT and MEASURE SUMMARY

Carrier: Rep. Witt

Joint Committee On Ways and Means

Action Date: 02/28/20

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

House Vote

Yeas: 6 - Gomberg, Holvey, McLain, Nosse, Piluso, Rayfield

Abs: 3 - Drazan, Smith G, Stark

Senate Vote

Yeas: 7 - Beyer, Frederick, Johnson, Monnes Anderson, Roblan, Steiner Hayward, Wagner

Abs: 5 - Boles, Girod, Hansell, Heard, Thomsen

Prepared By: Linnea Wittekind, Department of Administrative Services

Reviewed By: Haylee Morse-Miller, Legislative Fiscal Office

Department of Forestry
2019-21

Office of the Governor
2019-21

Budget Summary*

	2019-21 Legislatively Adopted Budget	2020 Committee Recommendation	Committee Change from 2019-21 Leg. Adopted	
			\$ Change	% Change
Department of Forestry				
General Fund	\$ -	\$ 894,317	\$ 894,317	100.0%
Other Funds	\$ -	\$ 103,545	\$ 103,545	100.0%
				100.0%
Office of the Governor				
General Fund	\$ -	\$ 175,000	\$ 175,000	100.0%

* Excludes Capital Construction Expenditures

Position Summary

Department of Forestry

Authorized Positions	0	2	2
Full-time Equivalent (FTE) Positions	0.00	1.26	1.26

Summary of Revenue Changes

House Bill 4168 appropriates \$894,317 in General Fund and increases Other Funds expenditure limitation by \$103,545 to the Oregon Department of Forestry (ODF) to expand the Forest Activity Electronic Reporting and Notification System (FERNS). Other Funds are derived from the Harvest Tax.

The bill also appropriates \$175,000 in General Fund to the Governor’s Office to facilitate mediation sessions between the forest industry and environmental interest groups.

Summary of Capital Construction Subcommittee Action

Department of Forestry

House Bill 4168 requires forest operators to identify a 90-day window of operation for helicopter pesticide application. The bill requires forest operators to provide notice by 7:00 PM the day before the operation is planned and requires post-application reporting within 24 hours of

completion of the pesticide application. Forest operators are to report scheduled pesticide applications through FERNS. Concerned residents or certain water users would be able to register in FERNS to receive an announcement of nearby helicopter applications of pesticides.

Additionally, this bill requires helicopter pesticide application buffers around inhabited dwellings, schools, and noted water intakes. It also establishes helicopter pesticide application buffers adjacent to streams on forestland governed by the Oregon Forest Practices Act.

House Bill 4168 directs the Board of Forestry to adopt rules to make the 2017 board rules regarding salmon, steelhead, and Bull trout applicable to the Siskiyou Georegion, effective on January 1, 2021.

To complete this work and expand the functionality of FERNS, the Subcommittee has recommended a General Fund appropriation of \$894,317, and an increase in Other Funds expenditure limitation of \$103,545 as well as two positions (1.26 FTE) for the agency's Private Forests Division. A limited-duration Project Manager 3 will manage the development, implementation, and budget for a project to expand FERNS functionality. ODF will also need a full-time permanent Operations and Policy Analyst 2 to implement the ongoing work of the pesticide application program. A majority of appropriated funds, estimated at \$739,000, will be used to build out FERNS to meet the reporting and notification requirements of this measure.

Office of the Governor

House Bill 4168 requires the Governor to organize and facilitate mediation sessions between representatives of forest industries and representatives of environmental interests in accordance with the Memorandum of Understanding announced by the Governor on February 10, 2020. The bill also requires the Senate President and Speaker of the House of Representatives to arrange for the Natural Resource Legislative Committees to hold a joint informational hearing during the 2021 Legislative Session. The committees are required to invite the Governor to submit testimony or documents regarding the expected schedule and structure for mediation sessions.

The Subcommittee recommended a \$175,000 General Fund appropriation to the Office of the Governor for the 2019-21 biennium to fund the costs of these mediation sessions.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of Forestry & Office of Governor
 Linnea Wittekind 503-378-3108

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
<u>SUBCOMMITTEE ADJUSTMENTS</u>									
<u>Department of Forestry</u>									
SCR 050 - Private Forests									
Personal Services	\$ 149,317	\$ -	\$ 99,545	\$ -	\$ -	\$ -	248,862	2	1.26
Services and Supplies	\$ 745,000	\$ -	\$ 4,000	\$ -	\$ -	\$ -	749,000		
<u>Office of the Governor</u>									
SCR 001 - General Program									
Services and Supplies	\$ 175,000	\$ -	\$ -	\$ -	\$ -	\$ -	175,000		
TOTAL SUBCOMMITTEE ADJUSTMENTS	\$ 1,069,317	\$ -	\$ 103,545	\$ -	\$ -	\$ -	1,172,862	2	1.26