

SB 1536-3
(LC 83)
2/11/20 (CDT/ps)

Requested by SENATE COMMITTEE ON WILDFIRE REDUCTION AND RECOVERY (at the request of Governor Kate Brown)

**PROPOSED AMENDMENTS TO
SENATE BILL 1536**

1 On page 2 of the printed bill, line 5, after the semicolon insert “creating
2 new provisions; amending ORS 477.315;”.

3 Delete lines 7 through 45 and delete pages 3 through 9 and insert:
4

5 **“UTILITIES**
6

7 **“SECTION 1. Sections 2 to 8 of this 2020 Act are added to and made
8 a part of ORS chapter 757.**

9 **“SECTION 2. (1) As used in this section, ‘electric company’ has the
10 meaning given that term in ORS 757.600.**

11 **“(2) An electric company must have and operate in compliance with
12 a risk-based wildfire protection plan approved by the Public Utility
13 Commission.**

14 **“(3) An electric company shall submit a risk-based wildfire pro-
15 tection plan to the commission every three years. The plan must, at
16 a minimum:**

17 **“(a) Identify areas within the service territory of the electric com-
18 pany that are subject to a heightened risk of wildfire.**

19 **“(b) Identify a means for mitigating wildfire risk that is cost effec-
20 tive and reflects a reasonable balancing of mitigation costs with the
21 resulting reduction of wildfire risk.**

1 “(c) Identify preventive actions and programs that the electric
2 company will carry out to minimize the risk of company facilities
3 causing a wildfire.

4 “(d) Identify a protocol for the deenergizing of power lines and ad-
5 justing power system operations to mitigate wildfires, promote the
6 safety of the public and first responders and preserve health and
7 communication infrastructure.

8 “(e) Describe the procedures, standards and time frames that the
9 electric company will use to inspect company infrastructure in areas
10 that the company identifies under paragraph (a) of this subsection.

11 “(f) Describe the procedures, standards and time frames that the
12 electric company will use to carry out vegetation management in areas
13 that the company identifies under paragraph (a) of this subsection.

14 “(g) Identify the development, implementation and administration
15 costs for the plan.

16 “(h) Identify the community outreach and public awareness efforts
17 that the electric company will use before, during and after a wildfire
18 season.

19 “(4) The commission, in consultation with the State Forestry De-
20 partment and local emergency services agencies, shall review a
21 wildfire protection plan that an electric company submits under this
22 section. The commission shall:

23 “(a) Approve the submitted plan; or

24 “(b) Disapprove the submitted plan and inform the electric company
25 of the modifications necessary to obtain approval.

26 “(5) The commission shall adopt rules for the implementation of
27 this section.

28 “(6) Nothing in this section prohibits the recovery of costs deferred
29 under ORS 757.259.

30 “SECTION 3. (1) As used in this section, ‘consumer-owned utility’

1 and ‘governing body’ have the meanings given those terms in ORS
2 757.600.

3 “(2) A consumer-owned utility must have and operate in compliance
4 with a risk-based wildfire mitigation plan approved by the governing
5 body of the utility. The utility shall regularly update the risk-based
6 wildfire mitigation plan on a schedule the governing body deems con-
7 sistent with prudent utility practices.

8 “(3) A consumer-owned utility shall conduct a wildfire risk assess-
9 ment of utility facilities. The utility shall review and revise the as-
10 sessment on a schedule the governing body deems consistent with
11 prudent utility practices.

12 “(4) A consumer-owned utility shall submit a copy of the risk-based
13 wildfire mitigation plan approved by the utility governing body to the
14 Public Utility Commission to facilitate commission functions regard-
15 ing statewide wildfire mitigation planning and wildfire preparedness.

16 “SECTION 4. The Public Utility Commission shall periodically con-
17 vene workshops for the purpose of helping electric companies as de-
18 fined in ORS 757.600, consumer-owned utilities as defined in ORS
19 757.600 and operators of electrical distribution systems to develop and
20 share information for the identification, adoption and carrying out of
21 best practices regarding wildfires, including but not limited to risk-
22 based wildfire protection and risk-based wildfire mitigation procedures
23 and standards.

24 “SECTION 5. An electric company shall submit the first risk-based
25 wildfire protection plan required of the company under section 2 of
26 this 2020 Act no later than December 31, 2020.

27 “SECTION 6. A consumer-owned utility shall submit the first risk-
28 based wildfire mitigation plan required under section 3 of this 2020 Act
29 to the utility governing body no later than December 31, 2021.

30 “SECTION 7. (1) As used in this section, ‘electric utility’ has the

1 meaning given that term in ORS 757.600.

2 “(2) The provisions of sections 2 and 3 of this 2020 Act do not affect
3 the terms or conditions of easements held by an electric utility over
4 private land as of the effective date of this 2020 Act.

5 **“SECTION 8. (1) As used in this section, ‘electric utility’ has the
6 meaning given that term in ORS 757.600.**

7 “(2) Sections 9, 11, 23 and 26 of this 2020 Act do not affect the terms
8 or conditions of easements held by an electric utility over private land
9 as of the effective date of this 2020 Act.

10

11

“INSURANCE

12

13 **“SECTION 9. (1) Insurers may adopt coverage provisions and
14 underwriting standards to encourage property protection approaches
15 that:**

16 “(a) Harden structures against wildfire damage;

17 “(b) Provide for the establishment and maintenance of defensible
18 spaces;

19 “(c) Create access for emergency vehicles responding to wildfires;
20 or

21 “(d) Create wildfire evacuation routes.

22 “(2) Issuers of property insurance policies may use maps and data
23 developed by the Department of Land Conservation and Development
24 or the State Fire Marshal for the purpose of determining terms and
25 conditions of the policies.

26 “(3) The Department of Consumer and Business Services may work
27 with the State Fire Marshal and issuers of property insurance policies
28 to develop property protection approaches reflecting best practices for
29 wildfire risk mitigation.

30

1 of a local government. A local government may contract with the
2 State Fire Marshal for the local government to administer and enforce
3 the minimum defensible space requirements established by the State
4 Fire Marshal within the jurisdiction of the local government.

5 “(3) A local government may adopt and enforce local requirements
6 for defensible space on lands that are greater than the minimum
7 defensible space requirements established by the State Fire Marshal.
8 Any local requirements that a local government adopts for defensible
9 space must be consistent with defensible space requirements set forth
10 in International Wildland-Urban Interface Code standards. If a local
11 government adopts local requirements under this subsection, within
12 the jurisdiction of the local government the State Fire Marshal may
13 administer and enforce the minimum defensible space requirements
14 established by the State Fire Marshal under subsection (1) of this
15 section and the local government may enforce requirements adopted
16 under this subsection that are greater than the minimum defensible
17 space requirements established by the State Fire Marshal. The State
18 Fire Marshal and the local government shall coordinate any inspection
19 and enforcement efforts described in this subsection.

20 “(4) If a local government contracts under subsection (2) of this
21 section to administer and enforce minimum defensible space require-
22 ments established by the State Fire Marshal within the jurisdiction
23 of the local government, the local government shall periodically report
24 to the State Fire Marshal regarding whether lands within the juris-
25 diction of the local government are in compliance with the applicable
26 minimum defensible space requirements. The reports shall state the
27 extent of compliance for each property, the change in degree of com-
28 pliance since the previous report and any other information required
29 by the State Fire Marshal by rule. In addition to requiring periodic
30 reports, the State Fire Marshal may at any time require a local juris-

1 diction to report the defensible space conditions for any lands on
2 which minimum defensible space requirements are enforced by the
3 local government.

4 “(5) The State Fire Marshal shall oversee and coordinate the de-
5 velopment and maintenance of a comprehensive statewide map show-
6 ing lands for which the State Fire Marshal has established minimum
7 defensible space requirements under subsection (1) of this section, the
8 requirements applicable to those lands and the degree of compliance
9 on those lands with the applicable requirements.

10 “(6) The State Fire Marshal shall administer and enforce a program
11 to provide financial, administrative, technical or other assistance to
12 a local government to facilitate the administration and enforcement
13 of minimum defensible space requirements within the jurisdiction of
14 the local government. A local government shall expend financial as-
15 sistance provided by the State Fire Marshal under this subsection to
16 give priority to the creation of defensible space on lands owned by
17 communities of color, indigenous communities, persons with limited
18 proficiency in English and persons of lower income as defined in ORS
19 456.055.

20 “SECTION 12. The Wildfire Defensible Space Fund is established in
21 the State Treasury, separate and distinct from the General Fund. In-
22 terest earned by the Wildfire Defensible Space Fund shall be credited
23 to the fund. Moneys in the fund are continuously appropriated to the
24 State Fire Marshal for the purpose of carrying out the local govern-
25 ment financial assistance program described in section 11 of this 2020
26 Act.

27 “SECTION 13. (1) The State Fire Marshal shall annually report re-
28 garding the status of State Fire Marshal and local government activ-
29 ities for carrying out section 11 of this 2020 Act to the Legislative
30 Assembly in the manner provided in ORS 192.245 on or before the date

1 of convening of the regular session of the Legislative Assembly as
2 specified in ORS 171.010.

3 “(2) The report shall include, but need not be limited to:

4 “(a) A status report regarding the establishment, administration
5 and enforcement of defensible space requirements;

6 “(b) The amount of moneys expended during the year for the es-
7 tablishment, administration or enforcement of defensible space re-
8 quirements;

9 “(c) The amount of moneys expended during the year for the sup-
10 pression of fires on wildland-urban interface lands; and

11 “(d) Any recommendations of the State Fire Marshal for legislative
12 action, including but not limited to current or future resource needs
13 for establishing, administering or enforcing defensible space require-
14 ments.

15

16

“HEALTH EFFECTS

17

18 “SECTION 14. (1) As used in this section, ‘smoke filtration system’
19 means an air filtration system capable of removing particulates and
20 other harmful components of wildfire smoke.

21 “(2) The Oregon Health Authority shall establish a program to in-
22 crease the availability of smoke filtration systems among persons
23 vulnerable to the health effects of wildfire smoke who reside in areas
24 susceptible to wildfire smoke. The authority may issue grants for the
25 installation of smoke filtration systems in residential buildings, com-
26 mercial buildings or buildings open to the public in areas susceptible
27 to wildfire smoke. The authority shall give grant priority to installa-
28 tions in residential buildings occupied by persons of lower income as
29 defined in ORS 456.055 who are vulnerable to the health effects of
30 wildfire smoke.

1 **“(3) The authority may adopt rules establishing standards for**
2 **smoke filtration systems obtained with grant moneys received under**
3 **this section including, but not limited to, minimum acceptable effi-**
4 **ciency for the removal of particulates and other harmful substances**
5 **generated by wildfires. The authority shall obtain information and**
6 **advice from the Task Force on Wildfire Smoke Health Effects estab-**
7 **lished under section 19 of this 2020 Act.**

8 **“SECTION 15.** Section 14 of this 2020 Act is amended to read:

9 **Sec. 14.** (1) As used in this section, ‘smoke filtration system’ means an
10 air filtration system capable of removing particulates and other harmful
11 components of wildfire smoke.

12 “(2) The authority shall establish a program to increase the availability
13 of smoke filtration systems among persons vulnerable to the health effects
14 of wildfire smoke who reside in areas susceptible to wildfire smoke. The au-
15 thority may issue grants for the installation of smoke filtration systems in
16 residential buildings, commercial buildings or buildings open to the public
17 in areas susceptible to wildfire smoke. The authority shall give grant priority
18 to installations in residential buildings occupied by persons of lower income
19 as defined in ORS 456.055 who are vulnerable to the health effects of wildfire
20 smoke.

21 “(3) The Oregon Health Authority may adopt rules establishing standards
22 for smoke filtration systems obtained with grant moneys received under this
23 section including, but not limited to, minimum acceptable efficiency for the
24 removal of particulates and other harmful substances generated by wildfires.
25 [*The authority shall obtain information and advice from the Task Force on*
26 *Wildfire Smoke Health Effects established under section 19 of this 2020 Act.*]

27 **“SECTION 16.** The amendments to section 14 of this 2020 Act by
28 **section 15 of this 2020 Act become operative on December 31, 2021.**

29 **“SECTION 17.** The Wildfire Smoke Abatement Fund is established
30 **in the State Treasury, separate and distinct from the General Fund.**

1 Interest earned by the Wildfire Smoke Abatement Fund shall be
2 credited to the fund. Moneys in the fund are continuously appropriated
3 to the Oregon Health Authority for the purpose of carrying out the
4 program required under section 14 of this 2020 Act.

5 **“SECTION 18. In addition to and not in lieu of any other appropri-**
6 **ation, there is appropriated to the Oregon Health Authority, for the**
7 **biennium ending June 30, 2021, out of the General Fund, the amount**
8 **of \$1,000,000 for deposit in the Wildfire Smoke Abatement Fund.**

9 **“SECTION 19. (1) The Task Force on Wildfire Smoke Health Effects**
10 **is established.**

11 **“(2) The task force consists of seven members appointed by the Di-**
12 **rector of the Oregon Health Authority and having such qualifications**
13 **as the director deems appropriate.**

14 **“(3) The task force shall identify and consult with stakeholders to:**

15 **“(a) Identify barriers to the installation of smoke filtration systems**
16 **in areas susceptible to wildfire smoke, and potential solutions to**
17 **identified barriers;**

18 **“(b) Determine the extent to which renters are able to take advan-**
19 **tage of smoke filtration systems; and**

20 **“(c) Address other issues relevant to making smoke filtration sys-**
21 **tems available to persons of lower income in areas susceptible to**
22 **wildfire smoke.**

23 **“(4) The task force shall provide information and advice to the**
24 **Oregon Health Authority regarding standards for smoke filtration**
25 **systems described in section 14 of this 2020 Act.**

26 **“(5) A majority of the members of the task force constitutes a**
27 **quorum for the transaction of business.**

28 **“(6) Official action by the task force requires the approval of a**
29 **majority of the members of the task force.**

30 **“(7) The task force shall elect one of its members to serve as**

1 **chairperson.**

2 **“(8) If there is a vacancy for any cause, the director shall make an**
3 **appointment to become immediately effective.**

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

7 **“(10) The task force may adopt rules necessary for the operation**
8 **of the task force.**

9 **“(11) The task force shall submit a report in the manner provided**
10 **in ORS 192.245, and may include recommendations for legislation, to**
11 **the Governor, the director and a legislative committee related to na-**
12 **tural resources no later than September 15, 2021.**

13 **“(12) The Oregon Health Authority shall provide staff support to the**
14 **task force.**

15 **“(13) Members of the task force are not entitled to compensation**
16 **or reimbursement for expenses and serve as volunteers on the task**
17 **force.**

18 **“SECTION 20. Section 19 of this 2020 Act is repealed on December**
19 **31, 2021.**

20

21 **“EMERGENCY MANAGEMENT**

22

23 **“SECTION 21. The Office of Emergency Management shall establish**
24 **six positions within the office whose responsibilities include, but need**
25 **not be limited to, administering the office’s mitigation and recovery**
26 **efforts for wildfire emergencies in assigned regions of this state.**

27

28 **“TREATMENT PROGRAM**

29

30 **“SECTION 22. The Legislative Assembly finds and declares that:**

1 **“(1) Fuel reduction is a critical and urgent need for much of the**
2 **forestland and rangeland in this state.**

3 **“(2) Fuel reduction on forestland and rangeland in this state is**
4 **necessary to reduce wildfire risk to communities, habitats and the**
5 **economy.**

6 **“(3)(a) It is the goal of this state to address accumulated fuel on**
7 **forestland and rangeland during a 20-year period.**

8 **“(b) It is the policy of this state that state agencies are to work in**
9 **coordination and partnership with federal agencies having land man-**
10 **agement duties to prioritize and assist in the achievement of the goal**
11 **established in this subsection.**

12 **“(c) Significant public investment will be necessary to achieve the**
13 **goal established in this subsection.**

14 **“(d) State agencies and federal agencies are encouraged to seek and**
15 **identify public funding and to leverage public funding with other rev-**
16 **enue sources to carry out the goal established in this subsection.**

17 **“(e) The development of a plan to achieve the goal established in**
18 **this subsection requires a strong partnership among state agencies,**
19 **federal agencies, nongovernmental entities and landowners. The State**
20 **Forestry Department is the appropriate agency to have primary re-**
21 **sponsibility for fostering that partnership and facilitating the devel-**
22 **opment of the plan.**

23 **“(4) Short-term opportunities exist for making reductions in fuel**
24 **levels and reductions of other wildfire risks. This state should invest**
25 **in those opportunities while engaged in the program development**
26 **process described in section 23 of this 2020 Act.**

27 **“SECTION 23. (1) The State Forestry Department shall cooperate**
28 **with other state agencies, federal agencies, nongovernmental entities**
29 **and landowners to develop and implement a program to treat**
30 **forestlands and rangelands in this state for the reduction of fuel load**

1 levels and reduction of other wildfire risks.

2 “(2) The program described in subsection (1) of this section must:

3 “(a) Specify types and levels of treatment and fuel load levels ap-
4 propriate for achieving program goals;

5 “(b) Provide for, but not be limited to, an expansion of department
6 activities for the restoration of federal forestlands within this state
7 including, but not limited to, activities under ORS 526.274 and 526.275;

8 “(c) Be designed to evaluate and prioritize the carrying out of
9 treatment on any forestlands and rangelands in this state without re-
10 gard to ownership;

11 “(d) Maximize the use of state and federal resources to improve
12 coordination and expedite implementation of forestland and rangeland
13 treatments;

14 “(e) Identify for biennial budget requests the capacity that must
15 exist within state government in order to meet the treatment goals
16 of the program; and

17 “(f) Identify the appropriate state agency to coordinate and oversee
18 rangeland treatments.

19 “(3) The program described in subsection (1) of this section must
20 provide for the department to coordinate with managers of federal
21 lands and private landowners to implement fuel reduction treatments
22 on lands that are in the four highest relative importance categories
23 identified in the United States Forest Service report titled ‘Pacific
24 Northwest Quantitative Wildfire Risk Assessment: Methods and Re-
25 sults’ and dated April 9, 2018, or on which treatment would provide a
26 substantial benefit to this state.

27 “(4) The program described in subsection (1) of this section must
28 provide that for projects on federal land:

29 “(a) Treatment must be in conformance with federal law including,
30 but not limited to, the National Environmental Policy Act of 1973 (16

1 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531
2 et seq.) and the Clean Water Act (33 U.S.C. 1251 et seq.).

3 “(b) Treatment may not include commercial thinning on:

4 “(A) Inventoried roadless areas;

5 “(B) Riparian reserves identified in the Northwest Forest Plan or
6 in Bureau of Land Management resource management plans;

7 “(C) Late successional reserves, except to the extent consistent with
8 the 2011 United States Fish and Wildlife Service Revised Recovery Plan
9 for the Northern Spotted Owl (*Strix occidentalis caurina*);

10 “(D) Areas protected under the federal Wild and Scenic Rivers Act
11 (16 U.S.C. 1271 et seq.), national recreation areas, national monuments
12 or areas protected under ORS 390.805 to 390.925;

13 “(E) Designated critical habitat for species listed as threatened or
14 endangered under the Endangered Species Act of 1973 or by the State
15 Fish and Wildlife Commission under ORS 496.172, unless commercial
16 thinning is already allowed under an existing environmental review
17 or recognized habitat recovery plan; or

18 “(F) Federally designated areas of critical environmental concern
19 or federally designated wilderness study areas.

20 “(c) Priority is to be given to:

21 “(A) Treatments that have received approval under the National
22 Environmental Policy Act (42 U.S.C. 4321 et seq.);

23 “(B) The completion of restoration treatment on lands where com-
24 mercial harvesting has occurred; and

25 “(C) The treatment of lands on which there are insufficient com-
26 mercial timber resources to offset the cost of restoration activities.

27 “(5) For treatment projects on private lands, the program described
28 in subsection (1) of this section must provide for the department to
29 work with landowners and nongovernmental entities to identify ap-
30 propriate treatments and provide financial assistance for those treat-

1 **ments.**

2 **“(6) The department shall determine whether state policy presents**
3 **barriers to undertaking increased implementation of treatment**
4 **projects on private lands.**

5 **“(7) The department shall ensure that forestland and rangeland**
6 **treatment projects under the program described in subsection (1) of**
7 **this section are carried out in coordination with local collaborative**
8 **groups, if any, Oregon State University and affected cities and coun-**
9 **ties.**

10 **“(8) The department shall develop consistent performance measures**
11 **and condition-based metrics for monitoring and communicating the**
12 **effectiveness of state investments and project actions in mitigating the**
13 **risk of wildfire.**

14 **“(9) The program described in subsection (1) of this section must**
15 **provide for the department to identify workforce development needs**
16 **and develop funding proposals for those needs, including but not lim-**
17 **ited to program funding proposals to ensure adequate contracting ca-**
18 **capacity for undertaking increased implementation of the program.**

19 **“SECTION 24. The Forestland and Rangeland Treatment Fund is**
20 **established in the State Treasury, separate and distinct from the**
21 **General Fund. Interest earned by the Forestland and Rangeland**
22 **Treatment Fund shall be credited to the fund. Moneys in the fund are**
23 **continuously appropriated to the State Forestry Department for the**
24 **purpose of carrying out oversight of and forestland and rangeland**
25 **treatment under the program described in section 23 of this 2020 Act.**

26 **“SECTION 25. The State Forestry Department shall report regard-**
27 **ing the status of program development and implementation under**
28 **section 23 of this 2020 Act to an interim committee of the Legislative**
29 **Assembly related to natural resources, in the manner provided under**
30 **ORS 192.245, no later than December 1, 2020. The report must include,**

1 but need not be limited to, a summary of progress in developing pro-
2 gram components regarding project selection.

3
4 **“PROTECTION OF LAND**

5
6 **“SECTION 26. (1) The State Forester, in collaboration with the**
7 **State Fire Marshal, state agencies and local governments as defined**
8 **in ORS 174.116, shall adopt rules establishing baseline levels of wildfire**
9 **protection for lands that are outside of forest protection districts and**
10 **susceptible to wildfire. When establishing the baseline levels for lands,**
11 **the State Forester shall ensure that the levels are adapted to reflect**
12 **regional conditions. A county, in collaboration with the State Forester**
13 **and the State Fire Marshal, may work to ensure that all lands within**
14 **the county that are outside of forest protection districts and suscep-**
15 **tible to wildfire are provided with wildfire protection services at the**
16 **applicable baseline level or a higher level. As used in this subsection,**
17 **‘forest protection districts’ means lands designated in State Forester**
18 **rules as provided under ORS 477.225.**

19 **“(2) A county, in collaboration with the State Forester and the**
20 **State Fire Marshal, may:**

21 **“(a) Assist landowners, individuals and businesses with forming ju-**
22 **risdictions to provide wildfire protection;**

23 **“(b) Assist landowners, individuals, businesses and jurisdictions**
24 **with obtaining expansion of or other changes to boundaries or facility**
25 **locations of jurisdictions that provide wildfire protection;**

26 **“(c) Assist jurisdictions to expand or adjust jurisdiction service**
27 **boundaries to ensure adequate wildfire protection for lands; and**

28 **“(d) Assist jurisdictions in developing wildfire protection facilities,**
29 **equipment, training and other resources adequate to ensure that the**
30 **jurisdiction provides timely and effective wildfire protection at the**

1 **baseline level or higher on lands described in subsection (1) of this**
2 **section throughout the jurisdiction.**

3 **“(3) The State Forester may provide financial assistance to counties**
4 **for carrying out county duties under subsection (2) of this section**
5 **from any funds made available to the State Forester and designated**
6 **for that purpose.**

7 **“SECTION 27. A county shall ensure no later than January 1, 2025,**
8 **that all lands described in section 26 (1) of this 2020 Act within the**
9 **county have baseline level or higher wildfire protection as described**
10 **in section 26 of this 2020 Act.**

11 **“SECTION 28. ORS 477.315 is amended to read:**

12 **“477.315. As used in ORS 477.315 to 477.325:**

13 **“(1) ‘Rangeland’ means any land:**

14 **“(a) That is located in that part of the state lying easterly of the summit**
15 **of the Cascade Mountains;**

16 **“(b) That has not been classified as Class 1, Class 2 or Class 3 forestland**
17 **under ORS 526.305 to 526.370; and**

18 **“(c) That [*contains*] **may contain** isolated tracts of forestland not so**
19 **classified or not within a forest protection district, or that is primarily **land****
20 ****used for cultivating crops**, rangeland, undeveloped land or undeveloped**
21 **area containing sagebrush, juniper and similar growths.**

22 **“(2) ‘Rangeland protection association’ means an entity that has the pur-**
23 **pose of protecting rangeland from fire and is:**

24 **“(a) Organized by owners of rangeland that is located within a rangeland**
25 **protection system established under ORS 477.320 and lies wholly outside any**
26 **forest protection district; or**

27 **“(b) Organized with the approval of a county governing body to be a**
28 **cost-neutral part of the emergency management program in a county having**
29 **200,000 or more acres of rangeland that are outside any forest protection**
30 **district and are not protected by an association formed under paragraph (a)**

1 of this subsection.

2

3

“FUNDING STUDY

4

5 **“SECTION 29. (1) The State Forestry Department shall contract for**
6 **the services of a private consultant to evaluate and make findings re-**
7 **garding:**

8 **“(a) Wildfire protection and suppression information, including but**
9 **not limited to the availability, accuracy and utility of the information;**

10 **“(b) The relative value delivered to public and private sectors from**
11 **state-funded wildfire suppression services, including but not limited**
12 **to social, ecological and economic benefits;**

13 **“(c) Costs of Oregon wildfire protection and wildfire protection in**
14 **similarly situated states, adjusted to common bases suitable for com-**
15 **parison; and**

16 **“(d) Economic aspects of wildfire protection and suppression that**
17 **vary within regions of this state.**

18 **“(2) The consultant shall develop recommendations that include but**
19 **need not be limited to:**

20 **“(a) Possible means for producing wildfire protection and sup-**
21 **pression information in a manner that maximizes the value of the in-**
22 **formation without undue burdens on information suppliers; and**

23 **“(b) Possible methods for allocating wildfire protection and sup-**
24 **pression costs to achieve equity in the distribution of costs and bene-**
25 **fits.**

26 **“(3) The consultant shall report the findings and recommendations**
27 **described in this section to the Governor and an interim committee**
28 **of the Legislative Assembly related to natural resources in the manner**
29 **provided by ORS 192.245 no later than September 15, 2022.**

30 **“SECTION 30. Section 29 of this 2020 Act is repealed on December**

1 31, 2022.

2
3 **“JOINT PARTNERSHIPS**

4
5 **“SECTION 31. The Governor may, as the Governor deems appro-**
6 **priate, authorize joint partnerships between state and federal agencies**
7 **to administer and enforce a wildfire strategy program based on the**
8 **recommendations contained in the ‘November 2019: Report and Rec-**
9 **ommendations’ of the Governor’s Council on Wildfire Response.**

10
11 **“COUNCIL**

12
13 **“SECTION 32. The Governor may assign duties to the Governor’s**
14 **Council on Wildfire Response as the Governor deems appropriate to**
15 **assist state and local agencies and officials to oversee and assist in the**
16 **implementation of sections 2 to 27 and 29 to 31 of this 2020 Act and the**
17 **amendments to ORS 477.315 by section 28 of this 2020 Act or of other**
18 **wildfire risk reduction programs. The council’s duties may include, but**
19 **need not be limited to, providing advice, suggesting priorities, recom-**
20 **mending future actions and providing coordination with federal agen-**
21 **cies.**

22 **“SECTION 33. Section 32 of this 2020 Act is repealed on January 2,**
23 **2022.**

24 **“SECTION 34. (1) As used in this section, ‘sustainable’ means**
25 **short-term and long-term financial stability that provides the ability**
26 **to implement, carry out, expand and maintain activity.**

27 **“(2) The Governor’s Council on Wildfire Response shall report de-**
28 **tailed recommendations of the council for a sustainable model for**
29 **funding a comprehensive wildfire strategy hat is consistent with the**
30 **recommendations contained in the ‘November 2019: Report and Rec-**

1 **ommendations’ of the council.**

2 **“(3) The council shall report its recommendations to the Legislative**
3 **Assembly as provided in ORS 192.245, and to the Governor, no later**
4 **than October 31, 2020.**

5 **“(4) In developing recommendations and preparing the report de-**
6 **scribed in this section, the council:**

7 **“(a) Shall cooperate with relevant state agencies including, but not**
8 **limited to, the State Forestry Department, the State Fire Marshal, the**
9 **Oregon Health Authority, the Office of Emergency Management, the**
10 **Department of Land Conservation and Development, the Department**
11 **of Consumer and Business Services, the State Department of Fish and**
12 **Wildlife, the Department of Environmental Quality and the Oregon**
13 **Department of Administrative Services;**

14 **“(b) Shall invite comments, advice or assistance from relevant fed-**
15 **eral agencies including, but not limited to, the United States Forest**
16 **Service and the Bureau of Land Management;**

17 **“(c) May contract with outside consultants and experts; and**

18 **“(d) Shall use the regular meetings of the council as a forum for**
19 **receiving input from council members and the public regarding con-**
20 **tent for the report.**

21

22

“CAPTIONS

23

24 **“SECTION 35. The unit captions used in this 2020 Act are provided**
25 **only for the convenience of the reader and do not become part of the**
26 **statutory law of this state or express any legislative intent in the**
27 **enactment of this 2020 Act.**

28

29

“EMERGENCY

30

1 **SECTION 36. This 2020 Act being necessary for the immediate**
2 **preservation of the public peace, health and safety, an emergency is**
3 **declared to exist, and this 2020 Act takes effect on its passage.”.**

4
