Senate Bill 635

Sponsored by Senator HANSELL (Presession filed.)

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.

Authorizes State Fire Marshal to dispatch firefighting resources in response to fire or wildfire burning on unprotected property.

A BILL FOR AN ACT
Relating to fire response on unprotected property.

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

SECTION 1. (1) If property is not provided with fire protection services by a fire department, rural fire protection district, rangeland protection association, forest protective association, forest protection district or federal agency or otherwise provided with fire protection services, or if the existence or nonexistence of a fire protection provider for a property cannot readily be determined, the State Fire Marshal may dispatch firefighting resources in response to a fire or wildfire on the property. Subject to subsection (2) of this section, the State Fire Marshal shall have sole discretion to determine the appropriate firefighting resources to be dispatched under this section. The State Fire Marshal may pay the cost for the dispatched firefighting resources from any moneys available to the State Fire Marshal and not otherwise restricted in purpose.

(2) If the Governor issues a declaration under ORS 476.510 to 476.610 that includes property described in subsection (1) of this section, upon issuance of the declaration:

(a) The officer designated by the Governor shall be responsible for directing and commanding the firefighting resources that were dispatched to the property under subsection (1) of this section; and

(b) Notwithstanding subsection (1) of this section, payment for the predeclaration and post-declaration costs of the dispatched resources shall be paid under ORS 476.560.

(3) The State Fire Marshal may bill a property owner for the costs incurred by the State Fire Marshal in dispatching firefighting resources under subsection (1) of this section. If a bill sent to a property owner under this subsection remains unpaid 90 days after being sent, the unpaid amount shall constitute a lien on the real property and on any timber salvaged or harvested from the property. The State Fire Marshal may record the lien with the County Clerk Lien Record of each county in which the real property is located.

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.

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