

C-Engrossed
Senate Bill 762

Ordered by the Senate June 25
Including Senate Amendments dated April 23 and June 23 and June 25

Sponsored by COMMITTEE ON NATURAL RESOURCES AND WILDFIRE RECOVERY (at the request of Senate Committee on Natural Resources and Wildfire Recovery, Governor Kate Brown)

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.

Directs Public Utility Commission to convene workshops.

Requires public utility that provides electricity to have wildfire protection plan. Provides that violation is subject to civil penalty not to exceed \$10,000. Requires consumer-owned utility to have wildfire mitigation plan.

Directs State Board of Forestry to establish criteria for developing statewide map of wildfire risk, establish Certified Burn Manager program and report to Legislative Assembly on or before December 1, 2021.

Directs State Fire Marshal to establish defensible space requirements, administer community risk reduction program and biannually report to Legislative Assembly, State Wildfire Programs Director and Wildfire Programs Advisory Council. Establishes Community Risk Reduction Fund in State Treasury.

Directs Department of Land Conservation and Development to identify certain land use updates and report to Legislative Assembly, State Wildfire Programs Director and Wildfire Programs Advisory Council on or before October 1, 2022.

Directs Department of Consumer and Business Services to adopt certain building code standards.

Directs Department of Environmental Quality to undertake programs concerning impacts of wildfire smoke, readiness and mitigation capacity for smoke and ambient air quality.

Directs Department of Human Services to establish grant program related to clean air shelters and smoke filtration systems and report to Legislative Assembly, State Wildfire Programs Director and Wildfire Programs Advisory Council no later than June 30, 2023.

Directs Office of Emergency Management to update statewide emergency plan to prepare for or respond to wildfire emergencies.

Directs State Forestry Department to implement program to reduce wildfire risk, report to Legislative Assembly, Governor, State Wildfire Programs Director and Wildfire Programs Advisory Council no later than January 15, 2022, and July 15, 2023, establish small forestland grant program, adopt certain rules concerning prescribed fires, establish system of smoke detection cameras and assess and improve wildfire response capacity.

Establishes Oregon Conservation Corps Program and Oregon Conservation Corps Advisory Committee. Establishes Oregon Conservation Corps Fund in State Treasury.

Makes certain changes concerning wildland-urban interface.

Directs Governor to appoint State Wildfire Programs Director. Establishes Wildfire Programs Advisory Council. Requires council to annually report to Governor and Legislative Assembly.

For certain entities, for specified purposes, appropriates moneys from General Fund, increases appropriations from General Fund and increases limitations on expenditures.

Declares emergency, effective on passage.

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A BILL FOR AN ACT

Relating to wildfire; creating new provisions; amending ORS 197.716, 205.130, 401.025, 477.015, 477.025, 477.027, 477.281 and 526.360; repealing ORS 477.017, 477.018, 477.023, 477.029, 477.031, 477.052, 477.054, 477.057, 477.059, 477.060 and 477.061; and declaring an emergency.

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

ELECTRIC SYSTEM PLANS

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 **SECTION 1.** Sections 2 to 4 of this 2021 Act are added to and made a part of ORS chapter
2 **757.**

3 **SECTION 2.** The Public Utility Commission shall periodically convene workshops for the
4 purpose of helping public utilities that provide electricity, municipal electric utilities, people's
5 utility districts organized under ORS chapter 261 that sell electricity, electric cooperatives
6 organized under ORS chapter 62 and operators of electrical transmission and distribution
7 systems to develop and share information for the identification, adoption and carrying out
8 of best practices regarding wildfires, including, but not limited to, risk-based wildfire pro-
9 tection and risk-based wildfire mitigation procedures and standards.

10 **SECTION 3.** (1) A public utility that provides electricity must have and operate in com-
11 pliance with a risk-based wildfire protection plan that is filed with the Public Utility Com-
12 mission and has been evaluated by the commission. The plan must be based on reasonable
13 and prudent practices identified through workshops conducted by the commission pursuant
14 to section 2 of this 2021 Act and on commission standards adopted by rule. The public utility
15 must design the plan in a manner that seeks to protect public safety, reduce risk to utility
16 customers and promote electrical system resilience to wildfire damage.

17 (2) A public utility that provides electricity shall regularly update a risk-based wildfire
18 protection plan on a schedule determined by the commission. The plan must, at a minimum:

19 (a) Identify areas that are subject to a heightened risk of wildfire and are:

20 (A) Within the service territory of the public utility; and

21 (B) Outside the service territory of the public utility but within a reasonable distance,
22 as determined by the commission, of the public utility's generation or transmission assets.

23 (b) Identify a means for mitigating wildfire risk that reflects a reasonable balancing of
24 mitigation costs with the resulting reduction of wildfire risk.

25 (c) Identify preventive actions and programs that the public utility will carry out to
26 minimize the risk of utility facilities causing a wildfire.

27 (d) After seeking information from regional, state and local entities, including munici-
28 palities, identify a protocol for the deenergizing of power lines and adjusting of power system
29 operations to mitigate wildfires, promote the safety of the public and first responders and
30 preserve health and communication infrastructure.

31 (e) Describe the procedures, standards and time frames that the public utility will use
32 to inspect utility infrastructure in areas that the public utility identifies under paragraph (a)
33 of this subsection.

34 (f) Describe the procedures, standards and time frames that the public utility will use to
35 carry out vegetation management in areas that the public utility identifies under paragraph
36 (a) of this subsection.

37 (g) Identify the development, implementation and administration costs for the plan.

38 (h) Identify the community outreach and public awareness efforts that the public utility
39 will use before, during and after a wildfire season.

40 (3) To develop a plan described in subsection (2) of this section, a public utility may
41 consult with and consider information from regional, state and local entities, including
42 municipalities.

43 (4) The commission, in consultation with the State Forestry Department and local
44 emergency services agencies, shall evaluate a public utility's wildfire protection plan and plan
45 updates through a public process.

1 (5) Not more than 180 days after receiving a wildfire protection plan or plan update from
2 a public utility, the commission shall approve or approve with conditions the plan or update
3 if the commission finds that the plan or update is based on reasonable and prudent practices
4 identified through workshops pursuant to section 2 of this 2021 Act and designed to meet all
5 applicable rules and standards adopted by the commission.

6 (6) The commission's approval of a wildfire protection plan does not establish a defense
7 to any enforcement action for violation of a commission decision, order or rule or relieve a
8 public utility from proactively managing wildfire risk, including by monitoring emerging
9 practices and technologies.

10 (7) The commission shall adopt rules for the implementation of this section. The rules
11 may include, but need not be limited to, procedures and standards regarding vegetation
12 management, public power safety shutoffs and restorations, pole materials, circuitry and
13 monitoring systems.

14 (8) All reasonable operating costs incurred by, and prudent investments made by, a public
15 utility to develop, implement or operate a wildfire protection plan under this section are re-
16 coverable in the rates of the public utility from all customers through a filing under ORS
17 757.210 to 757.220. The commission shall establish an automatic adjustment clause, as defined
18 in ORS 757.210, or another method to allow timely recovery of the costs.

19 **SECTION 3a.** (1) In addition to all other penalties provided by law, violation of section 3
20 of this 2021 Act or a rule adopted pursuant to section 3 of this 2021 Act is subject to a civil
21 penalty not to exceed \$10,000.

22 (2) Notwithstanding ORS 183.315 (6), 183.745 (7)(d) and 756.500 to 756.610, civil penalties
23 under this section must be imposed by the Public Utility Commission as provided in ORS
24 183.745.

25 (3) Civil penalties collected under this section must be paid into the General Fund and
26 credited to the Public Utility Commission Account as described in ORS 756.990 (7).

27 **SECTION 4.** (1) As used in this section, "consumer-owned utility" and "governing body"
28 have the meanings given those terms in ORS 757.600.

29 (2) A consumer-owned utility must have and operate in compliance with a risk-based
30 wildfire mitigation plan approved by the governing body of the utility. The plan must be de-
31 signed to protect public safety, reduce risk to utility customers and promote electrical sys-
32 tem resilience to wildfire damage.

33 (3) The consumer-owned utility shall regularly update the risk-based wildfire mitigation
34 plan on a schedule the governing body deems consistent with prudent utility practices.

35 (4) A consumer-owned utility shall conduct a wildfire risk assessment of utility facilities.
36 The utility shall review and revise the assessment on a schedule the governing body deems
37 consistent with prudent utility practices.

38 (5) A consumer-owned utility shall submit a copy of the risk-based wildfire mitigation
39 plan approved by the utility governing body to the Public Utility Commission to facilitate
40 commission functions regarding statewide wildfire mitigation planning and wildfire
41 preparedness.

42 **SECTION 5.** A public utility that provides electricity shall submit the first risk-based
43 wildfire protection plan required of the public utility under section 3 of this 2021 Act for
44 Public Utility Commission evaluation no later than December 31, 2021.

45 **SECTION 6.** A consumer-owned utility shall submit the first risk-based wildfire miti-

1 gation plan required under section 4 of this 2021 Act to the utility governing body no later
2 than June 30, 2022.

3 **SECTION 6a.** (1) As used in this section, “electric utility” has the meaning given that
4 term in ORS 757.600.

5 (2) Sections 3 and 4 of this 2021 Act do not affect the terms or conditions of easement
6 held by an electric utility over private land as of the effective date of this 2021 Act.

7 **SECTION 6b.** Sections 3 and 3a of this 2021 Act do not apply to municipally owned utili-
8 ties organized under ORS chapter 225.

9
10 **STATEWIDE MAP OF WILDFIRE RISK**

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12 **SECTION 7.** (1) The State Forestry Department shall oversee the development and
13 maintenance of a comprehensive statewide map of wildfire risk that displays the wildfire risk
14 classes described in subsection (4) of this section and populates the Oregon Wildfire Risk
15 Explorer.

16 (2) The Oregon Wildfire Risk Explorer must be the official wildfire planning and risk
17 classification mapping tool for the State of Oregon.

18 (3) The State Board of Forestry shall establish by rule criteria by which the map must
19 be developed and maintained, including criteria concerning the use of the most current
20 wildfire assessments.

21 (4) In consultation with Oregon State University, the department shall establish five
22 statewide wildfire risk classes of extreme, high, moderate, low and no risk. The classes must
23 be:

24 (a) Consistent with ORS 477.027.

25 (b) Based on weather, climate, topography and vegetation.

26 (5) The department shall enter into an agreement with the university that provides that
27 the university will develop and maintain the map and make the map publicly available in
28 electronic form through the Oregon Wildfire Risk Explorer.

29 (6) The board shall adopt rules that:

30 (a) Provide opportunities for public input into the assignment of properties to the wildfire
31 risk classes described in subsection (4) of this section.

32 (b) Require the department to provide notice and information about how a property
33 owner may appeal an assignment of the property owner’s property to the extreme or high
34 wildfire risk classes.

35 (c) Allow affected property owners and local governments to appeal the assignment of
36 properties to the wildfire risk classes after the map is developed, after any updates to the
37 map and within a reasonable time after delivery of the notice and information described in
38 paragraph (b) of this subsection.

39 (d) Establish a specific process for appeals through which a requested change in assign-
40 ment is assessed based on:

41 (A) Whether the assignment is consistent with the criteria described in subsection (3)
42 of this section;

43 (B) Any pertinent facts that may justify a change in the assignment; and

44 (C) Any error in the data the department used to determine the assignment, if the error
45 justifies a change in the assignment.

1 (7) The map must:

2 (a) Be based on the wildfire risk classes.

3 (b) Be sufficiently detailed to allow the assessment of wildfire risk at the property-
4 ownership level.

5 (c) Include the boundaries of the wildland-urban interface, as defined in ORS 477.015,
6 consistent with national standards.

7 (d) Include a layer that geospatially displays the locations of socially and economically
8 vulnerable communities.

9 (8) To develop and maintain the map, the university shall collaborate with the depart-
10 ment, the State Fire Marshal, other state agencies, local governments, federally recognized
11 Indian tribes in this state, other public bodies and any other information sources that the
12 university deems appropriate.

13 (9) In maintaining the map, the university shall make technical adjustments as needed
14 and update the map consistent with the results of appeals described in subsection (6)(b) of
15 this section.

16 (10) The university shall provide technical assistance to representatives of state and local
17 government, and to landowners, that use the map.

18 **SECTION 7a.** (1) On or before December 31, 2021, the State Forestry Department shall
19 report to an interim committee of the Legislative Assembly related to wildfire, in the manner
20 provided in ORS 192.245, to the State Wildfire Programs Director and to the Wildlife Pro-
21 grams Advisory Council on the progress of the department and Oregon State University in
22 complying with the requirements of section 7 of this 2021 Act.

23 (2) On or before June 30, 2022, the department and university must finish all actions re-
24 quired of the department and university by section 7 of this 2021 Act.

25 (3) Notwithstanding any contrary provision of law, the State Board of Forestry may adopt
26 temporary rules to help ensure the requirements described in subsection (2) of this section
27 are met.

28
29 **DEFENSIBLE SPACE**

30
31 **SECTION 8.** As used in sections 8a, 8b and 8c of this 2021 Act, “defensible space” means
32 a natural or human-made area in which material capable of supporting the spread of fire has
33 been treated, cleared or modified to slow the rate and intensity of advancing wildfire and
34 allow space for fire suppression operations to occur.

35 **SECTION 8a.** (1) The State Fire Marshal shall establish minimum defensible space re-
36 quirements for wildfire risk reduction on lands in areas identified on the statewide map of
37 wildfire risk described in section 7 of this 2021 Act as within the wildland-urban interface.

38 (2) The State Fire Marshal:

39 (a) Shall consult with the Oregon Fire Code Advisory Board to establish the require-
40 ments.

41 (b) Shall establish requirements that are consistent with and do not exceed the standards
42 pertaining only to defensible space that are set forth in the International Wildland-Urban
43 Interface Code published by the International Code Council, including the standards per-
44 taining only to defensible space that are set forth in sections 603 and 604 of the code.

45 (c) May consider best practices specific to Oregon in order to establish the requirements.

1 (d) Shall periodically reexamine the standards set forth in the International Wildland-
2 Urban Interface Code and update the requirements to reflect current best practices, in con-
3 sultation with the Oregon Fire Code Advisory Board.

4 (e) Shall enforce the requirements that are applicable to lands within the jurisdiction of
5 a local government.

6 (f) Shall adopt rules governing administration of the requirements.

7 (g) May develop and apply a graduated fee structure for use in assessing penalties on
8 property owners for noncompliance with the requirements.

9 (h) Shall consult on implementation of the requirements.

10 (i) May adopt rules concerning reports by local governments described in subsection
11 (4)(a) of this section.

12 (3) Subject to additional local requirements, the requirements shall apply statewide for
13 all lands in the wildland-urban interface that are designated as extreme or high risk, as
14 identified on the map.

15 (4) Notwithstanding subsection (2) of this section, a local government may:

16 (a) Administer, consult on and enforce the requirements established by the State Fire
17 Marshal, within the jurisdiction of the local government. A local government that adminis-
18 ters or enforces the requirements established by the State Fire Marshal shall periodically
19 report to the State Fire Marshal regarding compliance with the requirements, including the
20 extent of compliance for each property within the jurisdiction of the local government, any
21 change in the degree of compliance since the last report and any other information required
22 by the State Fire Marshal by rule.

23 (b) Adopt and enforce local requirements for defensible space that are greater than the
24 requirements established by the State Fire Marshal. Any local requirements that a local
25 government adopts for defensible space must be defensible space standards selected from the
26 framework set forth in the International Wildland-Urban Interface Code or other best prac-
27 tices specific to Oregon.

28 (c) Designate local fire districts, fire departments or fire agencies to enforce the re-
29 quirements established by the State Fire Marshal or the local government pursuant to par-
30 agraph (b) of this subsection. A local government that designates enforcement must comply
31 with the reporting requirements in paragraph (a) of this subsection.

32 (5) The State Fire Marshal shall administer a community risk reduction program that
33 emphasizes education and methods of prevention with respect to wildfire risk, enforcement
34 of defensible space requirements, response planning and community preparedness for
35 wildfires.

36 (6) The State Fire Marshal may provide financial, administrative, technical or other as-
37 sistance to a local government to facilitate the administration and enforcement of require-
38 ments within the jurisdiction of the local government. A local government shall expend
39 financial assistance provided by the State Fire Marshal under this subsection to give priority
40 to the creation of defensible space:

41 (a) On lands owned by members of socially and economically vulnerable communities,
42 persons with limited proficiency in English and persons of lower income as defined in ORS
43 456.055.

44 (b) For critical or emergency infrastructure.

45 (c) For schools, hospitals and facilities that serve seniors.

1 statewide land use planning program and local comprehensive plans and zoning codes that
2 are needed in order to incorporate wildfire risk maps and minimize wildfire risk, including
3 the appropriate levels of state and local resources necessary for effective implementation.

4 (3) Updates may include, but need not be limited to, provisions regarding sufficient
5 defensible space, building codes, safe evacuation and development considerations in areas of
6 extreme and high wildfire risk, allowing for regional differences.

7 (4) On or before October 1, 2022, the Department of Land Conservation and Development
8 shall:

9 (a) Complete the updates.

10 (b) Report to a committee or interim committee of the Legislative Assembly related to
11 wildfire, in the manner provided in ORS 192.245, to the State Wildfire Programs Director and
12 to the Wildfire Programs Advisory Council on the updates. The report must include recom-
13 mendations concerning the updates.

14 (5) As necessary to identify needed updates and develop the recommendations required
15 by subsection (4)(b) of this section, the department may consult with the State Fire Marshal,
16 the State Forestry Department, the Department of Consumer and Business Services and lo-
17 cal governments.

18
19 **BUILDING CODES**

20
21 **SECTION 12.** (1) For extreme and high wildfire risk classes in the wildland-urban inter-
22 face that are identified pursuant to section 7 of this 2021 Act, the Department of Consumer
23 and Business Services shall adopt wildfire hazard mitigation building code standards that
24 apply to new dwellings and the accessory structures of dwellings, as described in section R327
25 of the 2021 Oregon Residential Specialty Code.

26 (2) The department shall amend section R327 of the Oregon Residential Specialty Code
27 to include standards for additions to existing dwellings and accessory structures and for re-
28 placement of existing exterior elements covered in section R327 of the 2021 Oregon Residen-
29 tial Specialty Code.

30 (3) The department shall incorporate the standards described in subsections (1) and (2)
31 of this section into any updates to the Oregon Residential Specialty Code.

32 **SECTION 12a.** (1) The Department of Consumer and Business Services shall take the
33 actions required by section 12 (1) and (2) of this 2021 Act not later than October 1, 2022.

34 (2) The standards described in section 12 (1) and (2) of this 2021 Act may not become
35 operative before April 1, 2023.

36 **SECTION 12b.** Not more than two years after the standards described in section 12 (1)
37 and (2) of this 2021 Act are adopted, the Department of Consumer and Business Services
38 shall update section R327 of the Oregon Residential Specialty Code to:

39 (1) Ensure that the code incorporates the standards described in section 12 (1) and (2)
40 of this 2021 Act; and

41 (2) Make any necessary adjustments to the applicability of the standards and permitting
42 requirements in the code.

43 **SECTION 12c.** The Department of Consumer and Business Services:

44 (1) Shall develop and maintain an interactive mapping tool that displays, at the property
45 level, wildfire hazard mitigation standards covered in section R327 of the Oregon Residential

1 Specialty Code. The tool must be designed to support future inclusion of snow load, seismic
2 and wind building code standards at the property level.

3 (2) Shall collaborate with Oregon State University to obtain any needed information from
4 the Oregon Wildfire Risk Explorer and national or science-based sources in order to develop
5 the tool.

6 (3) Shall ensure that the tool is displayed in an electronic format and available to the
7 public at no charge.

8 (4) Shall periodically update the tool when the relevant building code is updated.

9 (5) May enter into an agreement with the university concerning services required to de-
10 velop and maintain the tool.

11 **SECTION 12d.** (1) The Department of Consumer and Business Services shall develop the
12 interactive mapping tool described in section 12c of this 2021 Act not more than 60 days after
13 the statewide map of wildfire risk described in section 7 of this 2021 Act is developed.

14 (2) Any delay in developing the tool may not affect a deadline concerning the map.

15
16 **HEALTH SYSTEMS FOR SMOKE**

17
18 **SECTION 13.** The Department of Environmental Quality shall develop and implement a
19 program for supporting local communities, in detecting, preparing for, communicating or
20 mitigating the environmental and public health impacts of wildfire smoke.

21 **SECTION 13a.** The Department of Environmental Quality shall establish a program for
22 supporting local communities through intergovernmental agreements, grants, contracts or
23 cooperative agreements to develop and implement community response plans to enhance the
24 communities' readiness and mitigation capacity for smoke.

25 **SECTION 13b.** (1) The Department of Environmental Quality shall establish and imple-
26 ment a program to support communities across this state in monitoring, interpreting and
27 communicating data related to ambient air quality conditions caused by wildfire smoke.

28 (2) As part of the program, the department shall:

29 (a) Conduct community outreach in areas of this state that are prone to poor air quality
30 attributable to elevated levels of particulate matter.

31 (b) Deploy air quality monitoring equipment in a manner sufficient to evaluate an in-
32 creased prevalence of poor air quality attributable to elevated levels of particulate matter.

33 (c) Monitor meteorological conditions in a manner sufficient to forecast occurrences of
34 poor air quality.

35 **SECTION 14.** (1) As used in this section, "smoke filtration system" means an air
36 filtration system capable of removing particulates and other harmful components of wildfire
37 smoke in a public building.

38 (2) In consultation and coordination with the Oregon Health Authority, the Department
39 of Human Services shall establish and implement a grant program that allows local govern-
40 ments to:

41 (a) Establish emergency clean air shelters.

42 (b) Equip public buildings with smoke filtration systems so the public buildings may serve
43 as cleaner air spaces during wildfire smoke and other poor air quality events.

44 (3) The department shall require grantees to provide access to the clean air shelters at
45 no charge.

1 **SECTION 14a.** The Department of Human Services is the lead state agency for clean air
2 shelter operations. The department shall:

3 (1) Consult and collaborate with the Oregon Health Authority to align practices for vol-
4 untary evacuations and emergency sheltering operations.

5 (2) Coordinate with the authority in setting priorities for awarding grants described in
6 section 14 of this 2021 Act.

7 (3) Provide support to local agencies that take lead roles in operating and planning clean
8 air shelters in the local agencies' jurisdictions.

9 **SECTION 14b.** No later than June 30, 2023, in consultation with the Oregon Health Au-
10 thority, the Department of Human Services shall report to an appropriate committee or in-
11 terim committee of the Legislative Assembly, in the manner described in ORS 192.245, to the
12 State Wildfire Programs Director and to the Wildfire Programs Advisory Council on:

13 (1) The grants administered pursuant to section 14 of this 2021 Act, including information
14 about which local governments received grants.

15 (2) Any barriers to administering the grants.

16 (3) Areas for improving the grant program described in section 14 of this 2012 Act.

17 (4) Public health impacts from wildfire smoke events.

18 **SECTION 15.** (1) As used in this section, "smoke filtration device" means portable air
19 cleaners and furnace, heating, ventilation and air conditioning filters that are intended to
20 remove contaminants, including particulates and other harmful components of wildfire
21 smoke, from the air in a room to improve indoor air quality.

22 (2) The Oregon Health Authority shall establish a program to increase the availability
23 of residential smoke filtration devices among persons vulnerable to the health effects of
24 wildfire smoke who reside in areas susceptible to wildfire smoke.

25 (3) The authority may award grants for the purchase of smoke filtration devices.

26 (4) If the authority awards grants described in this section, the authority shall give pri-
27 ority to funding for smoke filtration devices in residential buildings occupied by persons who
28 qualify for the Oregon Health Plan or Medicaid and are vulnerable to the health effects of
29 wildfire smoke.

30 (5) The authority may adopt rules establishing standards for smoke filtration devices
31 obtained with grant moneys received under this section, including, but not limited to, mini-
32 mum acceptable efficiency for the removal of particulates and other harmful substances
33 generated by wildfires.

34 (6) The authority may provide information and refer service providers to grantees that
35 need housing interventions to facilitate effective use of smoke filtration devices, including
36 interventions such as weather proofing.

37 **SECTION 15a.** The Oregon Health Authority shall periodically report to an appropriate
38 committee or interim committee of the Legislative Assembly, as described in ORS 192.245,
39 to the State Wildfire Programs Director and to the Wildfire Programs Advisory Council on:

40 (1) The use of smoke filtration devices funded under section 15 of this 2021 Act, including
41 use of the smoke filtration devices by vulnerable and underserved communities.

42 (2) The effectiveness of the programs described in section 15 of this 2021 Act.

43 (3) Areas for improvement.

44 (4) Public health impacts during wildfire smoke events.

45 (5) Whether funding described in section 15 of this 2021 Act has provided a public health

1 **return on investment.**

2
3 **EMERGENCY RESPONSE AND DISASTER RECOVERY**

4
5 **SECTION 16.** ORS 401.025 is amended to read:

6 401.025. As used in this chapter:

7 (1) "Emergency" means a human created or natural event or circumstance that causes or
8 threatens widespread loss of life, injury to person or property, human suffering or financial loss,
9 including but not limited to:

10 (a) Fire, **wildfire**, explosion, flood, severe weather, landslides or mud slides, drought, earth-
11 quake, volcanic activity, tsunamis or other oceanic phenomena, spills or releases of oil or hazardous
12 material as defined in ORS 466.605, contamination, utility or transportation emergencies, disease,
13 blight, infestation, civil disturbance, riot, sabotage, acts of terrorism and war; and

14 (b) A rapid influx of individuals from outside this state, a rapid migration of individuals from
15 one part of this state to another or a rapid displacement of individuals if the influx, migration or
16 displacement results from the type of event or circumstance described in paragraph (a) of this sub-
17 section.

18 (2) "Emergency service agency" means an organization within a local government that performs
19 essential services for the public's benefit before, during or after an emergency, such as law
20 enforcement, fire control, health, medical and sanitation services, public works and engineering,
21 public information and communications.

22 (3) "Emergency services" means activities engaged in by state and local government agencies
23 to prepare for an emergency and to prevent, minimize, respond to or recover from an emergency,
24 including but not limited to coordination, preparedness planning, training, interagency liaison, fire
25 fighting, oil or hazardous material spill or release cleanup as defined in ORS 466.605, law enforce-
26 ment, medical, health and sanitation services, engineering and public works, search and rescue ac-
27 tivities, warning and public information, damage assessment, administration and fiscal management,
28 and those measures defined as "civil defense" in 50 U.S.C. app. 2252.

29 (4) "Local government" has the meaning given that term in ORS 174.116.

30 (5) "Major disaster" means any event defined as a "major disaster" under 42 U.S.C. 5122(2).

31 **SECTION 17. (1) The Office of Emergency Management shall update its statewide emer-**
32 **gency plan as necessary to prepare for or respond to wildfire emergencies on an area-wide**
33 **or statewide basis. The plan developed by the office to prepare for or respond to wildfire**
34 **emergencies shall include, but need not be limited to, wildfire risk mitigation efforts and**
35 **evacuation planning.**

36 **(2) The office shall coordinate with cities, counties, adult foster homes, health care fa-**
37 **ilities and residential facilities, the Department of Human Services and the Oregon Health**
38 **Authority to establish local or private procedures to prepare for emergencies related to**
39 **wildfire and ensure that local efforts to prevent, respond to or recover from an emergency**
40 **caused by wildfire are conducted in a manner consistent with the plan developed by the office**
41 **to prepare for or respond to wildfire emergencies. The coordinated activities may include,**
42 **but need not be limited to, providing training, carrying out exercises and promoting com-**
43 **munity education.**

44 **SECTION 17a. The Office of Emergency Management shall conduct the update required**
45 **by section 17 (1) of this 2021 Act on or before December 31, 2021.**

REDUCTION OF WILDFIRE RISK

SECTION 18. (1)(a) The State Forestry Department shall design and implement a program to reduce wildfire risk through the restoration of landscape resiliency and the reduction of hazardous fuel on public or private forestlands and rangelands and in communities near homes and critical infrastructure.

(b) The department shall ensure that the program is consistent with the objectives described in this section and biennially select, administer and evaluate projects consistent with the objectives described in this subsection.

(c) When developing program and project selection criteria, the department shall, to the extent practicable, consult and cooperate with state and federal agencies, counties, cities and other units of local government, federally recognized Indian tribes in this state, public and private forestland and rangeland owners, forest and rangeland collaboratives and other relevant community organizations and ensure consistency with the priorities described in subsection (3) of this section.

(2) The department shall develop a 20-year strategic plan, as described in the Shared Stewardship Agreement signed on August 13, 2019, that prioritizes restoration actions and geographies for wildfire risk reduction. The plan must be able to be used to direct federal, state and private investments in a tangible way.

(3) In selecting and administering projects, the department shall:

(a) In collaboration with the Oregon State University Extension Service and other entities, identify strategic landscapes that are ready for treatment, giving priority to projects within the landscapes that are:

(A) On lands in the four highest eNVC risk classes identified in the United States Forest Service report titled "Pacific Northwest Quantitative Wildfire Risk Assessment: Methods and Results" and dated April 9, 2018;

(B) Inclusive of federal lands with treatment projects currently approved under the National Environmental Policy Act (42 U.S.C. 4321 et seq.);

(C) Focusing on treatments protective of human life, property, critical infrastructure, watershed health and forest or rangeland habitat restoration; and

(D) Part of a collaborative partnership with agreements across diverse forestland or rangeland stakeholders that use an expansive, landscape-scale approach to address underlying causes of poor wildfire resilience and elevated risk of wildfire or that establish innovative approaches to addressing the underlying causes that could be implemented on a larger scale.

(b) To the extent practicable, identify and support projects that are designed to:

(A) Evaluate varying types of fuel treatment methods;

(B) Leverage the collective power of public-private partnerships and federal and state funding, including leverage of the coordination of funding to support collaborative initiatives that address the underlying causes of elevated forestland and rangeland wildfire risk across ownerships; and

(C) Optimize the receipt of federal government investments that equal or exceed department investments.

(c) Design the projects to involve existing forest-based and range-based contracting entities.

(d) Design the projects to complement programs and projects of the Oregon Watershed

1 Enhancement Board or other state agencies as needed.

2 (e) Design the projects to involve the Oregon Conservation Corps Program established
3 by section 21 of this 2021 Act, to the maximum extent possible, for community protection
4 projects located in the wildland-urban interface, subject to funding available in the Oregon
5 Conservation Corps Fund established by section 23 of this 2021 Act.

6 (f) Affirmatively seek, and enhance opportunities for, collaboration from stakeholders
7 holding a wide variety of perspectives regarding forest and rangeland management and op-
8 portunities for significant involvement by communities in proximity to project sites.

9 (g) Engage in monitoring of the projects to produce useful information on which to base
10 recommendations to the Legislative Assembly.

11 (4) A project under this section may not include commercial thinning on:

12 (a) Inventoried roadless areas;

13 (b) Riparian reserves identified in the Northwest Forest Plan or in federal Bureau of
14 Land Management resource management plans;

15 (c) Late successional reserves, except to the extent consistent with the 2011 United
16 States Fish and Wildlife Service Revised Recovery Plan for the Northern Spotted Owl (*Strix*
17 *occidentalis caurina*);

18 (d) Areas protected under the federal Wild and Scenic Rivers Act (P.L. 90-542), national
19 recreation areas, national monuments or areas protected under ORS 390.805 to 390.925;

20 (e) Designated critical habitat for species listed as threatened or endangered under the
21 Endangered Species Act of 1973 (P.L. 93-205) or by the State Fish and Wildlife Commission
22 under ORS 496.172, unless commercial thinning is already allowed under an existing envi-
23 ronmental review or recognized habitat recovery plan; or

24 (f) Federally designated areas of critical environmental concern or federally designated
25 wilderness study areas.

26 (5) The department shall give public notice, and allow reasonable opportunity for public
27 input, when identifying and selecting landscapes under this section.

28 **SECTION 19.** Section 18 of this 2021 Act does not expand, diminish or otherwise affect a
29 right, privilege, duty or function established under federal, state or local laws or rules that
30 pertain to the management of private lands in this state.

31 **SECTION 20.** (1) The State Forestry Department shall complete the operation of projects
32 under section 18 of this 2021 Act no later than June 30, 2023.

33 (2) The department shall report regarding progress in carrying out projects under section
34 18 of this 2021 Act to an interim committee of the Legislative Assembly related to natural
35 resources, in the manner provided by ORS 192.245, and to the Governor, State Wildfire Pro-
36 grams Director and Wildfire Programs Advisory Council no later than January 15, 2022. The
37 report shall include, but need not be limited to:

38 (a) An explanation of how landscapes were selected, a summary of the selected projects,
39 a description of initial outcomes from projects selected under the requirements established
40 by section 18 of this 2021 Act, anticipated time frames for completion of the projects and any
41 initial recommendations concerning landscape identification and projects selected under the
42 requirements established by section 18 of this 2021 Act;

43 (b) A description of the funding source types and amounts secured by the department
44 as matching funds to implement projects; and

45 (c) A summary of outreach and coordination with relevant federal and state agencies,

1 counties, cities and other units of local government, federally recognized Indian tribes in this
2 state, public and private forestland and rangeland owners, forestland and rangeland
3 collaboratives and other relevant community organizations to identify and select landscapes
4 for treatment and develop selection criteria for projects.

5 (3)(a) The department shall report its findings and recommendations regarding wildfire
6 risk reduction on forestland and rangeland and in communities, based on information ob-
7 tained from the projects described in section 18 of this 2021 Act, to an interim committee
8 of the Legislative Assembly related to natural resources, in the manner provided by ORS
9 192.245, and to the Governor, State Wildfire Programs Director and Wildfire Programs Ad-
10 visory Council no later than July 15, 2023. The report shall include, but need not be limited
11 to:

12 (A) A qualitative and quantitative summary of the project outcomes that, at a minimum,
13 states the number of acres treated, the treatment actions carried out and any resulting or
14 anticipated changes in landscape conditions related to enhanced resiliency or the mitigation
15 of wildfire risk to public values;

16 (B) The identification of barriers to more efficient implementation and achievement of
17 goals in future wildfire risk reduction projects;

18 (C) A qualitative and quantitative summary of the use of prescribed fire activities and
19 invasive annual grass treatments for wildfire risk reduction that, at a minimum, states the
20 number of acres burned or treated and any resulting or anticipated changes in landscape
21 conditions related to enhanced resiliency or the mitigation of wildfire risk to public values;

22 (D) The identification of existing disincentives to, and recommendation for reducing
23 barriers to, the use of prescribed fire;

24 (E) Recommendations for creating optimal working relationships with forestland or
25 rangeland collaboratives and other relevant community organizations regarding future
26 wildfire risk reduction projects;

27 (F) A description of the funding source types and amounts secured by the department
28 as matching funds to carry out projects; and

29 (G) Recommendations for investment in future wildfire risk reduction projects to be
30 carried out in the 2023-2025 biennium.

31 (b) In developing the report required under this subsection, the department shall work
32 in coordination with federal land management agencies, institutions of higher education and
33 third parties to develop consistent performance measurements and condition-based metrics
34 for monitoring and communicating the effectiveness of state investments and project actions
35 in reducing wildfire risk on public or private forestlands and rangelands and in communities.

36
37 **OREGON CONSERVATION CORPS**

38
39 **SECTION 21.** (1) The Oregon Conservation Corps Program is established for the purposes
40 of:

- 41 (a) Reducing the risk wildfire poses to communities and critical infrastructure.
- 42 (b) Helping to create fire-adapted communities.
- 43 (c) Engaging youth and young adults in workforce training.

44 (2) Youth and young adults between 13 years of age and 26 years of age who have been
45 qualified by a youth development organization may participate in projects undertaken by the

1 corps.

2 (3) Notwithstanding any contrary provision of law, participants in projects undertaken
3 by the corps:

4 (a) Are not employees of the corps.

5 (b) Are exempt from prevailing wage laws.

6 (c) Must receive compensation for their participation of at least minimum wage or an
7 allowance or stipend that, when combined with other sources of payment the participant is
8 eligible to receive, including academic credit or an AmeriCorps education award, is equiv-
9 alent to the value of minimum wage.

10 **SECTION 22.** (1) As used in this section, “eligible organization” includes Oregon-based
11 nonprofit youth development organizations and public entities that provide programs of job
12 training, skill development and forest-related or rangeland-related career path training.

13 (2) The Oregon Conservation Corps Advisory Committee is established within the Higher
14 Education Coordinating Commission for the purpose of managing the Oregon Conservation
15 Corps Program.

16 (3) The Governor shall determine the number of members on the committee and appoint
17 the members.

18 (4) The committee shall, in collaboration with a qualified nonprofit foundation, actively
19 seek and source private donations to support the Oregon Conservation Corps Program.

20 (5) The committee may direct the expenditure of moneys from the Oregon Conservation
21 Corps Fund for a promotional website and materials to solicit private funds.

22 (6) Members may not receive compensation for service on the committee, but, subject
23 to any applicable laws regulating travel and other expenses of state officers and employees,
24 may be reimbursed for actual and necessary travel and other expenses incurred in the per-
25 formance of committee duties with moneys available to the commission for the purpose of
26 reimbursing the members.

27 (7) The committee shall administer a grant process that:

28 (a) Provides funding to support the work conducted by the Oregon Conservation Corps
29 Program.

30 (b) Defines and uses an equity lens in awarding grants by identifying and supporting
31 populations with greater vulnerability including communities of color, indigenous communi-
32 ties, communities with members who have limited proficiency in English and communities
33 with lower-income members.

34 (c) Awards grants to eligible organizations.

35 (d) Ensures that grant awards support activities described in section 21 (1) of this 2021
36 Act and subsection (8) of this section.

37 (e) Establishes guidelines for prioritizing grant-supported projects to reduce community
38 fire risks, promote youth and young adult workforce development and educational experi-
39 ences and reduce hazardous fuels.

40 (8) The committee shall consult with the State Forestry Department to ensure that the
41 grant process awards funds to proposals that:

42 (a) Protect at-risk communities and infrastructure within the wildland-urban interface,
43 as described in section 18 of this 2021 Act.

44 (b) Meet standards for fuel treatment established by the department.

45 (9) The committee shall biennially submit a report, on the timeline described in ORS

1 293.640, to an appropriate committee or interim committee of the Legislative Assembly, as
2 described in ORS 192.245, and to the State Wildfire Programs Director and Wildfire Programs
3 Advisory Council, regarding the expenditure of moneys deposited in the Oregon Conservation
4 Corps Fund.

5 **SECTION 23.** (1) The Oregon Conservation Corps Fund is established in the State Treas-
6 ury, separate and distinct from the General Fund. Interest earned by the Oregon Conserva-
7 tion Corps Fund shall be credited to the fund.

8 (2) The fund may receive contributions from individuals and private organizations.

9 (3) Moneys in the fund are continuously appropriated to the Higher Education Coordi-
10 nating Commission to be used as directed by the Oregon Conservation Corps Advisory Com-
11 mittee and for related administrative expenses of the commission.

12 (4) The commission shall keep records of all moneys credited to and deposited in the fund
13 and the activity or program against which each withdrawal from the fund is charged.

14
15 **SMALL FORESTLAND GRANT PROGRAM**

16
17 **SECTION 24.** (1) As used in this section, “small forestland owner” means an individual,
18 group, federally recognized Indian tribe in Oregon or association that owns:

19 (a) Up to 160 acres of nonindustrial private forestland west of the crest of the Cascade
20 Mountains; or

21 (b) Up to 640 acres of nonindustrial private forestland east of the crest of the Cascade
22 Mountains.

23 (2) The State Forestry Department shall establish a small forestland grant program for
24 the purpose of providing grants, on a competitive basis, to support small forestland owners
25 in reducing wildfire risk through the restoration of landscape resiliency and the reduction
26 of hazardous fuels on the owners’ property.

27 (3) In consultation with partners and stakeholders, the department shall set criteria for
28 assessing grant applications and awarding grants. The criteria may include, but need not be
29 limited to:

30 (a) Prioritization of projects on forestland in extreme or high wildfire risk classes de-
31 scribed in section 7 of this 2021 Act.

32 (b) Owner commitment to maintaining fuel reduction treatments.

33 (c) Owner possession of a forest management plan.

34 (d) Project proximity to current or past fuel mitigation efforts, supported by any owner
35 or funding source, that would contribute to cross-boundary, landscape-scale forest resiliency.

36 (e) Whether the project addresses additional resource concerns, such as insect and dis-
37 ease management.

38 (f) Whether critical facilities and infrastructure may receive enhanced protection due to
39 project outcomes.

40
41 **PRESCRIBED FIRE**

42
43 **SECTION 25.** The State Forestry Department shall adopt rules to clarify that a person
44 may:

45 (1) Conduct a prescribed fire that burns across land ownership boundaries if the person

1 obtains a permit for the fire as described in ORS 477.515 or 477.625 and complies with the
2 conditions of the permit.

3 (2) Obtain a single permit under ORS 477.515 or 477.625 for a prescribed fire that burns
4 across land ownership boundaries if the person demonstrates to the department that the
5 person has obtained consent to conduct the fire from all persons on whose lands the fire is
6 planned to burn.

7 **SECTION 25a.** The State Forestry Department shall initiate the rulemaking described in
8 section 25 of this 2021 Act on or before November 30, 2021, and finalize the rulemaking on
9 or before November 30, 2022.

10 **SECTION 26.** ORS 526.360 is amended to read:

11 526.360. (1) The State Board of Forestry, [*and the forester*] **the State Forester and forest**
12 **protective associations** may assist to the extent [*possible*] **practical** in developing, for forestry,
13 grazing or agricultural uses, all forestland classified pursuant to ORS 526.328 or 526.340 for such
14 uses, including the burning of brush or other flammable material for the purpose of:

15 (a) Removing a fire hazard to any property;

16 (b) Preparing seed beds;

17 (c) Removing obstructions to or interference with the proper seeding or agricultural or grazing
18 development or use of that land;

19 (d) Promoting the establishment of new forest crops on cutover, denuded or underproductive
20 lands;

21 (e) Implementing pest prevention and suppression activities, as provided in ORS 527.310 to
22 527.370; or

23 (f) Promoting improvements to forest health, including improvements to fish and wildlife habitat.

24 (2) Upon request of the owner or the agent of the owner of any forestland classified pursuant
25 to ORS 526.328 or 526.340, the forester **or a forest protective association** may perform or super-
26 vise burning operations thereon for any of the purposes stated in subsection (1) of this section. The
27 owner or the agent of the owner shall supply such personnel and equipment and shall perform such
28 fire control actions and activities as the forester **or forest protective association** may require
29 while there is danger of the fire spreading. The forester **or forest protective association** may re-
30 fuse to perform or supervise burning or to issue any burning permit when, in the judgment of the
31 forester **or forest protective association**, conditions so warrant.

32 (3) To accomplish the purposes set forth in subsection (1) of this section, the [*State Board of*
33 *Forestry may*] **board shall** establish by rule a Certified Burn Manager program.

34 (4) The rules shall include:

35 (a) Certification standards, requirements and procedures;

36 (b) Standards, requirements and procedures to revoke certification;

37 (c) Actions and activities that a Certified Burn Manager must perform;

38 (d) Actions and activities that a Certified Burn Manager may not allow or perform;

39 (e) Limitations on the use of a Certified Burn Manager; and

40 (f) Any other standard, requirement or procedure that the board considers necessary for the safe
41 and effective administration of the program.

42 (5) **The rules may establish and impose fees for participation in the program.**

43 [(4)] (6) When [*any*] a burning for any of the purposes stated in subsection (1) of this section on
44 forestland classified pursuant to ORS 526.328 or 526.340 is started under the supervision of and
45 supervised by the forester, **a forest protective association** or a Certified Burn Manager, [*no*] **a**

1 person [shall] may not be held liable for property damage resulting from that burning unless the
2 damage is caused by the negligence of the person.

3 **SECTION 27.** By December 1, 2021, the State Board of Forestry shall:

4 (1) Consult with the Oregon Prescribed Fire Council concerning best practices for con-
5 ducting the Certified Burn Manager program described in ORS 526.360;

6 (2) Initiate rulemaking to establish the program; and

7 (3) Report in the manner provided in ORS 192.245 to an appropriate committee or interim
8 committee of the Legislative Assembly on progress the board has made in establishing and
9 implementing the program and when the board expects to launch the program.

10
11 **FEDERAL PARTNERSHIPS**

12
13 **SECTION 27a.** The State Forestry Department shall cooperate with federal agencies to
14 increase the effectiveness of activities undertaken pursuant to ORS 526.271, 526.274 and
15 526.275.

16
17 **PROTECTED AREAS**

18
19 **SECTION 28.** (1) The State Forester, in collaboration with the State Fire Marshal, state
20 agencies and local governments as defined in ORS 174.116, shall adopt rules establishing
21 baseline levels of wildfire protection for lands that are outside of forest protection districts
22 and susceptible to wildfire. When establishing the baseline levels for lands, the State
23 Forester shall ensure that the levels are adapted to reflect regional conditions. A county, in
24 collaboration with the State Forester and the State Fire Marshal, may work to ensure that
25 all lands within the county that are outside of forest protection districts and susceptible to
26 wildfire are provided with wildfire protection services at the applicable baseline level or a
27 higher level. As used in this subsection, “forest protection districts” means lands designated
28 in State Forester rules as provided under ORS 477.225.

29 (2) A county, in collaboration with the State Forester and the State Fire Marshal, may
30 assist:

31 (a) Landowners, individuals and businesses with forming jurisdictions to provide wildfire
32 protection;

33 (b) Landowners, individuals, businesses and jurisdictions with obtaining expansion of or
34 other changes to boundaries or facility locations of jurisdictions that provide wildfire pro-
35 tection;

36 (c) Jurisdictions to expand or adjust jurisdiction service boundaries to ensure adequate
37 wildfire protection for lands; and

38 (d) Jurisdictions in developing wildfire protection facilities, equipment, training and other
39 resources adequate to ensure that the jurisdiction provides timely and effective wildfire
40 protection at the baseline level or higher on lands described in subsection (1) of this section
41 throughout the jurisdiction.

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

45 **SECTION 29.** A county shall ensure no later than January 1, 2026, that all lands described

1 in section 28 (1) of this 2021 Act within the county have baseline level or higher wildfire
2 protection as described in section 28 of this 2021 Act.

3
4 **WILDFIRE RESPONSE CAPACITY**

5
6 **SECTION 30.** (1) The State Forestry Department shall establish and maintain an ex-
7 panded system of automated smoke detection cameras that includes staffing in detection
8 centers to monitor and alert fire suppression staff when fires are detected.

9 (2) The system must serve the purposes of quickly detecting, locating and extinguishing
10 fires and keeping fires as small as possible.

11 **SECTION 30a.** The State Forestry Department:

12 (1) Shall consult and coordinate with federal agencies, private stakeholders and other
13 state agencies to determine the adequacy of state, federal and private wildfire response ca-
14 pacity. The department shall act to facilitate wildfire prevention and wildfire response
15 communication and coordination between federal, state, local and private entities.

16 (2) Shall increase the department's wildfire readiness and response capacity, including
17 increases to fire suppression response personnel, aviation assets and necessary administra-
18 tive support personnel, to the extent the department receives funding for the increase.

19 (3) Shall, to the extent practicable, seek to leverage state moneys to obtain an increase
20 in federal wildfire resources available to Oregon for effective initial response purposes.

21 (4) Shall consult with the office of the State Fire Marshal and with local fire defense
22 board chiefs to assess the adequacy of available mutual aid to provide wildfire response on
23 wildland-urban interface lands and to identify means for providing additional resources from
24 the state or other entities to enhance wildfire response capacity on wildland-urban interface
25 lands.

26 (5) Shall continually identify workforce development needs associated with wildfire risk
27 mitigation and wildfire response and develop funding proposals for meeting those needs on
28 a sustained basis. The identified workforce development needs must align with wildfire risk
29 to provide an adequate level of wildfire protection, as described in ORS 477.062.

30 (6) May enter into cooperative agreements or contracts with a local or private entity for
31 the purpose of assisting the entity to organize for purposes of wildfire risk mitigation or
32 wildfire response, including, but not limited to, facilitating wildfire training and the acqui-
33 sition of firefighting equipment for the entity and assisting with payment for liability insur-
34 ance and other administrative expenses of the entity associated with wildfire risk mitigation
35 or wildfire response.

36 **SECTION 30b.** (1) The office of the State Fire Marshal shall increase the office's wildfire
37 readiness and response capacity to the extent the office receives funding for the increase,
38 by means including:

39 (a) Increasing fire prevention and response personnel and fire administrative support
40 personnel to address planning, communications, training, deployment and safety.

41 (b) Implementing innovative technologies and modernizing systems to expedite fire re-
42 source deployment in an efficient and safe manner.

43 (2) The State Fire Marshal may:

44 (a) Designate funding intended for the Oregon fire mutual aid system to support prepo-
45 sitioning of resources and costs.

1 (b) Enter into contracts with federal or state agencies, other states, political subdi-
2 visions, corporations and authorities having fire suppression jurisdiction for fire prevention,
3 suppression, coordination and response.
4

5 **WILDLAND-URBAN INTERFACE FIRE PROTECTION**
6

7 **SECTION 31.** ORS 477.015 is amended to read:

8 477.015. [(1)] As used in **this section and ORS [477.015 to 477.061] 477.025 and 477.027**, [unless
9 the context otherwise requires,] “[forestland-urban] **wildland-urban** interface” [means] **has the**
10 **meaning given that term in rule by the State Board of Forestry.** [a geographic area of forestland
11 inside a forest protection district where there exists a concentration of structures in an urban or sub-
12 urban setting.]

13 [(2) As used in ORS 477.015 to 477.057, unless the context requires otherwise:]

14 [(a) “Committee” means a county forestland-urban interface classification committee.]

15 [(b) “Governing body” means the board of county commissioners or county court of a county, as the
16 case may be.]

17 **SECTION 32.** ORS 477.025 is amended to read:

18 477.025. The Legislative Assembly recognizes that the [forestland] **wildland-urban** interface in
19 Oregon varies by condition, situation, fire hazard and risk, that different [forestland] **wildland-urban**
20 interface fire protection problems exist across the state because of this variability, **and** that these
21 different problems necessitate varied fire prevention and protection practices. [and that, in order to
22 give recognition to such differences and their effect on the accomplishment of the public policy stated
23 in ORS 477.023, certain classifications of the forestland-urban interface within the State of Oregon are
24 established by ORS 477.027 to 477.057.]

25 **SECTION 33.** ORS 477.027 is amended to read:

26 477.027. (1) By [administrative] rule, **considering national best practices**, the State Board of
27 Forestry shall establish:

28 (a) **A definition of “wildland-urban interface.”**

29 (b) Criteria by which the [forestland-urban] **wildland-urban** interface [shall] **must** be identified
30 and classified.

31 (2) The criteria [shall]:

32 (a) **Must** recognize differences across the state in fire hazard, fire risk and structural charac-
33 teristics within the [forestland-urban] **wildland-urban** interface.

34 (b) **May not exclude a category of land from inclusion in the wildland-urban interface.**

35 (3) **Based on** the criteria [shall include not less than three nor more than], **the board shall es-**
36 **tablish** five classes of [forestland-urban] **wildland-urban** interface.

37 (4) **The classes must be integrated into the comprehensive statewide map described in**
38 **section 7 of this 2021 Act.**

39 **SECTION 33a.** The State Board of Forestry shall adopt by rule the definition described
40 in ORS 477.027 (1)(a), as amended by section 33 of this 2021 Act, not later than 100 days after
41 the effective date of this 2021 Act.

42 **SECTION 34.** ORS 477.017, 477.018, 477.023, 477.029, 477.031, 477.052, 477.054, 477.057,
43 477.059, 477.060 and 477.061 are repealed.
44

45 **STATE WILDFIRE PROGRAMS DIRECTOR**

1 **general public.**

2 (e) **Assessing ways the statewide map of wildfire risk described in section 7 of this 2021**
3 **Act may inform development of building codes and land use laws, rules and decisions, in a**
4 **regionally appropriate manner.**

5 (f) **Assessing the application of defensible space requirements to vineyards, crops and**
6 **other cultivated vegetation.**

7 (g) **Reviewing Department of Land Conservation and Development findings and recom-**
8 **mendations in the report required by section 11 of this 2021 Act and making additional rec-**
9 **ommendations related to potential updates to the statewide land use planning program, local**
10 **comprehensive plans and zoning codes to incorporate wildfire risk maps and minimize**
11 **wildfire risk to people, public and private property, businesses, infrastructure and natural**
12 **resources.**

13 (3) **The council is not a decision-making body but instead is established to provide advice,**
14 **assistance, perspective, ideas and recommendations to the State Wildfire Programs Director.**

15 (4) **The President of the Senate and Speaker of the House of Representatives shall jointly**
16 **appoint 19 members to the council as follows:**

17 (a) **One member who represents county government.**

18 (b) **One member who is a land use planning director of a county that is wholly or partially**
19 **within the wildland-urban interface.**

20 (c) **One member who represents city government.**

21 (d) **One member who is a land use planning director of a city that is wholly or partially**
22 **within the wildland-urban interface.**

23 (e) **One member who represents fire chiefs and has experience with managing, fighting**
24 **or preventing fire within the wildland-urban interface.**

25 (f) **One member who represents fire marshals and has experience with managing, fighting**
26 **or preventing fire within the wildland-urban interface.**

27 (g) **One member who represents firefighters and has experience with managing, fighting**
28 **or preventing fire within the wildland-urban interface.**

29 (h) **One member who represents rural residential property owners whose property is**
30 **wholly or partially within the wildland-urban interface.**

31 (i) **One member who represents farming property owners whose property is wholly or**
32 **partially within the wildland-urban interface.**

33 (j) **One member who represents ranching property owners whose property is wholly or**
34 **partially within the wildland-urban interface.**

35 (k) **One member who represents forestland owners whose property is wholly or partially**
36 **within the wildland-urban interface.**

37 (L) **One member who represents federally recognized Indian tribes with land wholly or**
38 **partially within the wildland-urban interface.**

39 (m) **One member who represents a utility company.**

40 (n) **One member who represents environmental interests.**

41 (o) **One member who represents forest resiliency interests.**

42 (p) **One member who represents state or regional land use planning organizations.**

43 (q) **One member who represents land and housing development interests or real estate**
44 **industry interests.**

45 (r) **One member who represents public health professionals.**

1 (s) One member who represents the environmental justice community.

2 (5) The presiding officers shall provide public notice of an opportunity for interested
3 parties to submit names of interest for appointment to the council.

4 (6) At least 30 days before appointing a member, the presiding officers shall consult in
5 good faith with the minority leaders of the Senate and House of Representatives on the ap-
6 pointment.

7 (7) The term of service for each member is four years.

8 (8) The members are eligible for reappointment.

9 (9) The council shall elect a chairperson and vice chairperson to serve for one-year
10 terms.

11 (10) The members shall serve on the council as volunteers and are not entitled to re-
12 imbursement for expenses.

13 (11) The Department of Consumer and Business Services, Department of Land Conser-
14 vation and Development, office of the State Fire Marshal and State Forestry Department
15 shall each provide 15 percent of the time of a full-time equivalent employee to:

16 (a) Cooperatively staff the council.

17 (b) Attend council meetings as informational resources.

18 (c) Assist with drafting reports at the request of the council.

19 (d) Support the work of the State Wildfire Programs Director.

20 (12) The Oregon State University Extension Service shall designate a person to serve as
21 staff for the council.

22 (13) Each October the council shall submit a report to the Governor and appropriate
23 committees or interim committees of the Legislative Assembly that describes progress on
24 implementing program activities related to defensible space, building codes, land use and
25 community emergency preparedness and that recommends improvements.

26 **SECTION 37.** (1) On or before September 1, 2021, members of the Wildfire Programs
27 Advisory Council must be appointed as described in section 36 (4) of this 2021 Act.

28 (2) On or before November 1, 2021, the council must begin meeting regularly.

29 **SECTION 38.** Notwithstanding section 36 (7) of this 2021 Act, the term of service for the
30 members first appointed from each category described in section 36 (4)(a), (c), (e), (g), (i), (k),
31 (m), (o), (q) and (s) of this 2021 Act is three years.

32 **SECTION 39.** The Wildfire Programs Advisory Council must make the first report de-
33 scribed in section 36 (13) of this 2021 Act in October 2022.

34
35 **CONFORMING AMENDMENTS**

36
37 **SECTION 40.** For purposes of the sellers' property disclosure statements described in
38 ORS 105.464, "forestland-urban interface" has the same meaning as "wildland-urban inter-
39 face," as defined in ORS 477.015.

40 **SECTION 41.** ORS 197.716 is amended to read:

41 197.716. (1) As used in this section:

42 (a) "Economic opportunity analysis" means an analysis performed by a county that:

43 (A) Identifies the major categories of industrial uses or other employment uses that could rea-
44 sonably be expected to expand or locate in the county based on a review of trends on a national,
45 state, regional or county level;

1 (B) Identifies the number of sites by type reasonably expected to be needed to accommodate the
2 expected employment growth based on the site characteristics typical of expected uses;

3 (C) Estimates the types and amounts of industrial uses and other employment uses likely to oc-
4 cur in the county based on subparagraphs (A) and (B) of this paragraph and considering the county's
5 economic advantages and disadvantages, including:

6 (i) Location, size and buying power of markets;

7 (ii) Availability of transportation facilities for access and freight mobility;

8 (iii) Public facilities and public services;

9 (iv) Labor market factors;

10 (v) Access to suppliers and utilities;

11 (vi) Necessary support services;

12 (vii) Limits on development due to federal and state environmental protection laws; and

13 (viii) Educational and technical training programs;

14 (D) Assesses community economic development potential through a public process in conjunction
15 with state agencies and consistent with any categories or particular types of industrial uses and
16 other employment uses desired by the community as identified in an existing comprehensive plan;

17 (E) Examines existing firms in the county to identify the types of sites that may require expan-
18 sion;

19 (F) Includes an inventory of vacant and developed lands within the county designated for in-
20 dustrial use or other employment use, including:

21 (i) The description, including site characteristics, of vacant or developed sites within each plan
22 or zoning district; and

23 (ii) A description of any development constraints or infrastructure needs that affect the
24 buildable area of sites in the inventory; and

25 (G) Identifies additional potential sites for designation and rezoning that could reasonably ac-
26 commodate expected industrial uses and other employment uses that cannot be met by existing in-
27 ventories.

28 (b) "Industrial use" means industrial employment activities, including manufacturing, assembly,
29 fabrication, processing, storage, logistics, warehousing, importation, distribution and transshipment
30 and research and development.

31 (c) "Listed county" means Baker, Gilliam, Grant, Harney, Lake, Malheur, Sherman, Union,
32 Wallowa or Wheeler County.

33 (d) "Other employment use" means all nonindustrial employment activities, including small scale
34 commercial use, wholesale, service, nonprofit, business headquarters, administrative, governmental
35 or employment activities that serve the medical, educational, social service, recreational or security
36 industries and that occupy retail, office or flexible building types of any size or multibuilding cam-
37 puses.

38 (e) "Reasonably be expected to expand or locate in the county" means that the county possesses
39 the appropriate locational factors for the use or category of use.

40 (f)(A) "Small scale commercial use" means the low-impact use of land primarily for the retail
41 sale of products or services, including offices.

42 (B) "Small scale commercial use" does not include use of land for factories, warehouses, freight
43 terminals or wholesale distribution centers.

44 (2) A listed county that has adopted an economic opportunity analysis as part of its compre-
45 hensive plan may amend its comprehensive plan, land use regulations and zoning map to designate

1 not more than 10 sites outside an urban growth boundary that cumulatively total not more than 50
2 acres of land if the sites were identified in any economic opportunity analysis as additional potential
3 sites for industrial uses or other employment uses in order to allow for industrial uses and other
4 employment uses without requiring an exception under ORS 197.732 to any statewide land use
5 planning goals related to:

- 6 (a) Agriculture;
- 7 (b) Forest use; or
- 8 (c) Urbanization.

9 (3) A county may not designate a site under subsection (2) of this section:

10 (a) On any lands designated as high-value farmland as defined in ORS 195.300;

11 (b) Unless the county complies with ORS 197.714; and

12 (c) If any portion of the proposed site is for lands designated for forest use, unless the county:

13 (A) Notifies the State Forester in writing not less than 21 days before designating the site; and

14 (B) Cooperates with the State Forester in:

15 (i) Updating and classifying [*forestland*] **wildland**-urban interface lands in and around the site;

16 (ii) Taking necessary steps to implement or update the [*forestland*] **wildland**-urban interface fire
17 protection system in and around the site as described in ORS [*477.015 to 477.061*] **477.027**; and

18 (iii) Implementing other fire protection measures authorized by the State Forester.

19 (4) A county may not amend its comprehensive plan, land use regulations or zoning map under
20 this section to allow a use that would conflict with an administrative rule adopted for the purpose
21 of implementing the Oregon Sage-Grouse Action Plan and Executive Order 15-18.

22 **SECTION 42.** ORS 205.130 is amended to read:

23 205.130. The county clerk shall:

24 (1) Have the custody of, and safely keep and preserve, all files and records of deeds and mort-
25 gages of real property and a record of all maps, plats, contracts, powers of attorney and other in-
26 terests affecting the title to real property required or permitted by law to be recorded.

27 (2) Record, or cause to be recorded, in a legible and permanent manner, and keep in the office
28 of the county clerk, all:

29 (a) Deeds and mortgages of real property, powers of attorney and contracts affecting the title
30 to real property, authorized by law to be recorded, assignments thereof and of any interest therein
31 when properly acknowledged or proved and other interests affecting the title to real property re-
32 quired or permitted by law to be recorded;

33 (b) Certificates of sale of real property under execution or order of court, or assignments of
34 previously recorded certificates or of any interest in real property, when properly acknowledged or
35 proved;

36 (c) Certified copies of death records of any person appearing in the county records as owning
37 or having a claim or interest in land in the county. A certified copy of a death record recorded in
38 the deed records of a county under this subsection is a public record and is not subject to the dis-
39 closure limitations under ORS 432.350;

40 (d) Instruments presented for recording by the United States or the State of Oregon, or a poli-
41 tical subdivision of either, that affect title to or an interest in real property or that lawfully concern
42 real property; **and**

43 (e) Instruments recognized under state law or rule or federal law or regulation as affecting title
44 to or an interest in real property if the instrument is properly acknowledged or proved[; *and*].

45 [*f*] *Orders from a county forestland-urban interface classification committee filed under ORS*

1 477.052.]

2 (3) Keep and maintain:

3 (a) Deed and mortgage records;

4 (b) Statutory lien records;

5 (c) A record called the County Clerk Lien Record in which the following shall be recorded:

6 (A) The warrants and orders of officers and agencies that are required or permitted by law to
7 be recorded; and

8 (B) All instruments presented for recordation when required or permitted by law to be recorded
9 that affect the title to or an interest in real property, other than instruments recorded in the deed
10 and mortgage records or the statutory lien records;

11 (d) Releases, satisfactions, assignments, amendments and modifications of recorded instruments;
12 and

13 (e) Other instruments required or permitted by law to be recorded not affecting interests in real
14 property.

15 (4) Perform all the duties in regard to the recording and indexing of deeds and mortgages of real
16 property, contracts, abstracts of judgments, notices of pendency, powers of attorney and other in-
17 terests when required or permitted by law to be recorded that affect the title of real property, and
18 in regard to the entry of satisfaction and discharge of the same, together with other documents re-
19 quired or permitted by law to be recorded.

20 (5) Incur no civil or criminal liability, either personally or in an official capacity, for recording
21 an instrument that does not comply with the provisions of law that require or allow the recording
22 of the instrument.

23 **SECTION 43.** ORS 477.281 is amended to read:

24 477.281. (1) The obligation of an owner of timberland or grazing land for payment of assessments
25 and taxes for fire protection of forestland is limited to:

26 (a) The payment of moneys pursuant to ORS 321.015 (2), 477.277, 477.295, 477.760 (4) and 477.880
27 to maintain the Oregon Forest Land Protection Fund; and

28 (b) The payment of forest protection district assessments pursuant to ORS [477.060 and] 477.205
29 to 477.281.

30 (2) As used in this section, “obligation of an owner of timberland or grazing land for payment
31 of assessments and taxes for fire protection of forestland” does not include the duties or obligations
32 of the owner under ORS 477.066, 477.068 or 477.120 or the obligations of an owner of land included
33 in a rural fire protection district pursuant to ORS 478.010.

34
35 **APPROPRIATIONS**

36 **(State Forestry Department)**

37
38 **SECTION 44.** Notwithstanding any other provision of law, the General Fund appropriation
39 made to the State Forestry Department by section 1 (2), chapter __, Oregon Laws 2021
40 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, for fire protection, is
41 increased by \$10,611,235, for carrying out the provisions of section 30a of this 2021 Act.

42 **SECTION 45.** Notwithstanding any other law limiting expenditures, the limitation on
43 expenditures established by section 2 (2), chapter __, Oregon Laws 2021 (Enrolled Senate
44 Bill 5518), for the biennium beginning July 1, 2021, as the maximum limit for payment of ex-
45 penses from fees, moneys or other revenues, including Miscellaneous Receipts and federal

1 funds from the United States Forest Service for fire protection and for research projects,
2 but excluding lottery funds and federal funds not described in section 2, chapter __, Oregon
3 Laws 2021 (Enrolled Senate Bill 5518), collected or received by the State Forestry Depart-
4 ment, for fire protection, is increased by \$11,514,649, for carrying out the provisions of sec-
5 tion 30a of this 2021 Act.

6 **SECTION 46.** Notwithstanding any other provision of law, the General Fund appropriation
7 made to the State Forestry Department by section 1 (3), chapter __, Oregon Laws 2021
8 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, for federal forest resto-
9 ration, is increased by \$27,990,713, for carrying out the provisions of sections 7, 18, 20, 24 and
10 30a of this 2021 Act.

11 **SECTION 47.** Notwithstanding any other law limiting expenditures, the limitation on
12 expenditures established by section 2 (1), chapter __, Oregon Laws 2021 (Enrolled Senate
13 Bill 5518), for the biennium beginning July 1, 2021, as the maximum limit for payment of ex-
14 penses from fees, moneys or other revenues, including Miscellaneous Receipts and federal
15 funds from the United States Forest Service for fire protection and for research projects,
16 but excluding lottery funds and federal funds not described in section 2, chapter __, Oregon
17 Laws 2021 (Enrolled Senate Bill 5518), collected or received by the State Forestry Depart-
18 ment, for agency administration, is increased by \$1,467,358, for carrying out the provisions
19 of sections 7, 18, 20 and 30a of this 2021 Act.

20 **SECTION 48.** In addition to and not in lieu of any other appropriation, there is appro-
21 priated to the State Forestry Department, for the biennium beginning July 1, 2021, out of the
22 General Fund, the amount of \$15,000,000, for the purpose of offsetting potential increases in
23 landowner forest patrol assessments under ORS 477.270 due to the implementation of the
24 provisions of section 30a of this 2021 Act.

25 **SECTION 49.** Notwithstanding any other provision of law, the General Fund appropriation
26 made to the State Forestry Department by section 1 (6), chapter __, Oregon Laws 2021
27 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, for the equipment pool,
28 is increased by \$474,884, for carrying out the provisions of section 30a of this 2021 Act.

29
30 (Public Utility Commission)
31

32 **SECTION 50.** Notwithstanding any other law limiting expenditures, the amount of
33 \$324,286 is established for the biennium beginning July 1, 2021, as the maximum limit for
34 payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts,
35 but excluding lottery funds and federal funds, collected or received by the Public Utility
36 Commission, for carrying out the provisions of sections 2 and 3 of this 2021 Act.

37
38 (Department of State Police,
39 Office of the State Fire Marshal)
40

41 **SECTION 51.** Notwithstanding any other provision of law, the General Fund appropriation
42 made to the Department of State Police by section 1 (1), chapter __, Oregon Laws 2021
43 (Enrolled House Bill 5028), for the biennium beginning July 1, 2021, for patrol services,
44 criminal investigations, gaming enforcement and the office of the State Fire Marshal, is in-
45 creased by \$13,506,889, for carrying out the provisions of sections 8a, 10 and 30b (1) of this

1 2021 Act.

2 **SECTION 52.** Notwithstanding any other provision of law, the General Fund appropriation
3 made to the Department of State Police by section 1 (1), chapter __, Oregon Laws 2021
4 (Enrolled House Bill 5028), for the biennium beginning July 1, 2021, for patrol services,
5 criminal investigations, gaming enforcement and the office of the State Fire Marshal, is in-
6 creased by \$7,000,000, for carrying out the provisions of section 8a (5) of this 2021 Act.

7 **SECTION 53.** In addition to and not in lieu of any other appropriation, there is appro-
8 priated to the Department of State Police, office of the State Fire Marshal, for the biennium
9 beginning July 1, 2021, out of the General Fund, the amount of \$25,000,000, for deposit in the
10 Community Risk Reduction Fund established by section 9 of this 2021 Act.

11 **SECTION 54.** Notwithstanding any other law limiting expenditures, the amount of
12 \$25,000,000 is established for the biennium beginning July 1, 2021, as the maximum limit for
13 payment of expenses by the Department of State Police, office of the State Fire Marshal,
14 from the Community Risk Reduction Fund established by section 9 of this 2021 Act for the
15 purpose of carrying out the provisions of section 8a (6) of this 2021 Act.

16 **SECTION 55.** Notwithstanding any other provision of law, the General Fund appropriation
17 made to the Department of State Police by section 1 (1), chapter __, Oregon Laws 2021
18 (Enrolled House Bill 5028), for the biennium beginning July 1, 2021, for patrol services,
19 criminal investigations, gaming enforcement and the office of the State Fire Marshal, is in-
20 creased by \$55,000,000, for carrying out the provisions of section 30b of this 2021 Act that are
21 related to the Oregon fire mutual aid system.

22
23 (Department of Environmental Quality)
24

25 **SECTION 56.** Notwithstanding any other provision of law, the General Fund appropriation
26 made to the Department of Environmental Quality by section 1 (1), chapter __, Oregon Laws
27 2021 (Enrolled Senate Bill 5516), for the biennium beginning July 1, 2021, for air quality, is
28 increased by \$3,322,828, for carrying out the provisions of sections 13, 13a and 13b of this 2021
29 Act.

30
31 (Department of Human Services)
32

33 **SECTION 57.** Notwithstanding any other provision of law, the General Fund appropriation
34 made to the Department of Human Services by section 1 (1), chapter __, Oregon Laws 2021
35 (Enrolled Senate Bill 5529), for the biennium beginning July 1, 2021, for central services, is
36 increased by \$5,187,411, for carrying out the provisions of sections 14, 14a and 14b of this 2021
37 Act.

38
39 (Oregon Health Authority)
40

41 **SECTION 58.** Notwithstanding any other provision of law, the General Fund appropriation
42 made to the Oregon Health Authority by section 1 (1), chapter __, Oregon Laws 2021 (En-
43 rolled House Bill 5024), for the biennium beginning July 1, 2021, for health systems, health
44 policy and analytics and public health, is increased by \$4,768,812, for carrying out the pro-
45 visions of sections 14, 14a, 14b, 15 and 15a of this 2021 Act.

(Oregon Military Department)

SECTION 59. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (3), chapter __, Oregon Laws 2021 (Enrolled Senate Bill 5535), for the biennium beginning July 1, 2021, for emergency management, is increased by \$700,003, for carrying out the provisions of section 17 of this 2021 Act.

(Higher Education Coordinating Commission,
Oregon State University)

SECTION 60. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (11), chapter __, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for distribution to public university statewide programs, is increased by \$1,138,040, for distribution to Oregon State University for carrying out the provisions of sections 7, 12c and 18 of this 2021 Act.

SECTION 61. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (1), chapter __, Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for Higher Education Coordinating Commission programs, is increased by \$643,668, for carrying out the provisions of section 22 of this 2021 Act.

SECTION 62. In addition to and not in lieu of any other appropriation, there is appropriated to the Higher Education Coordinating Commission, for the biennium beginning July 1, 2021, out of the General Fund, the amount of \$10,000,000, for deposit in the Oregon Conservation Corps Fund established by section 23 of this 2021 Act.

SECTION 63. In addition to and not in lieu of any other appropriation, there is appropriated to the Higher Education Coordinating Commission, for the biennium beginning July 1, 2021, out of the General Fund, the amount of \$1,000,000, to match private donations that are donated for the purposes of funding grant-supported projects related to the Oregon Conservation Corps Program established by section 21 of this 2021 Act.

(Office of the Governor)

SECTION 64. Notwithstanding any other provision of law, the General Fund appropriation made to the Office of the Governor by section 1, chapter __, Oregon Laws 2021 (Enrolled Senate Bill 5520), for the biennium beginning July 1, 2021, is increased by \$497,541, for carrying out the provisions of section 35 of this 2021 Act.

CAPTIONS

SECTION 65. The unit captions used in this 2021 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2021 Act.

EMERGENCY CLAUSE

1 **SECTION 66.** This 2021 Act being necessary for the immediate preservation of the public
2 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
3 on its passage.

4
