

## SENATE AMENDMENTS TO A-ENGROSSED SENATE BILL 762

By JOINT COMMITTEE ON WAYS AND MEANS

June 23

1 On page 3 of the printed A-engrossed bill, line 45, delete “3a” and insert “3”.

2 On page 4, delete lines 11 through 45 and delete pages 5 and 6.

3 On page 7, delete lines 1 through 22 and insert:

### “STATEWIDE MAP OF WILDFIRE RISK

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6  
7 “**SECTION 7. (1) The State Forestry Department shall oversee the development and**  
8 **maintenance of a comprehensive statewide map of wildfire risk that displays the wildfire risk**  
9 **classes described in subsection (4) of this section and populates the Oregon Wildfire Risk**  
10 **Explorer.**

11 “**(2) The Oregon Wildfire Risk Explorer must be the official wildfire planning and risk**  
12 **classification mapping tool for the State of Oregon.**

13 “**(3) The State Board of Forestry shall establish by rule criteria by which the map must**  
14 **be developed and maintained, including criteria concerning the use of the most current**  
15 **wildfire assessments.**

16 “**(4) In consultation with Oregon State University, the department shall establish five**  
17 **statewide wildfire risk classes of extreme, high, moderate, low and no risk. The classes must**  
18 **be:**

19 “**(a) Consistent with ORS 477.027.**

20 “**(b) Based on weather, climate, topography and vegetation.**

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

24 “**(6) The board shall adopt rules that:**

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

27 “**(b) Require the department to provide notice and information about how a property**  
28 **owner may appeal an assignment of the property owner’s property to the extreme or high**  
29 **wildfire risk classes.**

30 “**(c) Allow affected property owners and local governments to appeal the assignment of**  
31 **properties to the wildfire risk classes after the map is developed, after any updates to the**  
32 **map and within a reasonably time after delivery of the notice and information described in**  
33 **paragraph (b) of this subsection.**

34 “**(d) Establish a specific process for appeals through which a requested change in as-**  
35 **signment is assessed based on:**



1       “(b) Shall establish requirements that are consistent with and do not exceed the stan-  
2       dards pertaining only to defensible space that are set forth in the International Wildland-  
3       Urban Interface Code published by the International Code Council, including the standards  
4       pertaining only to defensible space that are set forth in sections 603 and 604 of the code.

5       “(c) May consider best practices specific to Oregon in order to establish the require-  
6       ments.

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

10       “(e) Shall enforce the requirements that are applicable to lands within the jurisdiction  
11       of a local government.

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

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

15       “(h) Shall consult on implementation of the requirements.

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

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

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

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

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

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

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

42       “(6) The State Fire Marshal may provide financial, administrative, technical or other  
43       assistance to a local government to facilitate the administration and enforcement of re-  
44       quirements within the jurisdiction of the local government. A local government shall expend  
45       financial assistance provided by the State Fire Marshal under this subsection to give priority

1 to the creation of defensible space:

2 “(a) On lands owned by members of socially and economically vulnerable communities,  
3 persons with limited proficiency in English and persons of lower income as defined in ORS  
4 456.055.

5 “(b) For critical or emergency infrastructure.

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

7 “SECTION 8b. (1) The minimum defensible space requirements established by the State  
8 Fire Marshal pursuant to section 8a of this 2021 Act may not be used as criteria to approve  
9 or deny:

10 “(a) An amendment to a local government’s acknowledged comprehensive plan or land  
11 use regulations.

12 “(b) A permit, as defined in ORS 215.402 or 227.160.

13 “(c) A limited land use decision, as defined in ORS 197.015.

14 “(d) An expedited land division, as defined in ORS 197.360.

15 “(2) Notwithstanding subsection (1) of this section, a local government may:

16 “(a) Amend the acknowledged comprehensive plan or land use regulations of the local  
17 government to include the requirements; and

18 “(b) Use the requirements that are included in the amended acknowledged comprehensive  
19 plan or land use regulations as a criterion for a land use decision.

20 “SECTION 8c. The State Fire Marshal shall establish minimum defensible space require-  
21 ments for wildfire risk reduction on lands in areas identified on the map described in section  
22 7 of this 2021 Act on or before December 31, 2022.

23 “SECTION 9. The Community Risk Reduction Fund is established in the State Treasury,  
24 separate and distinct from the General Fund. Interest earned by the Community Risk Re-  
25 duction Fund shall be credited to the fund. Moneys in the fund are continuously appropriated  
26 to the State Fire Marshal for the purpose of carrying out community risk reduction and the  
27 local government financial assistance described in section 8a of this 2021 Act.

28 “SECTION 10. (1) The State Fire Marshal shall biannually report regarding the status of  
29 State Fire Marshal and local government activities for carrying out section 8a of this 2021  
30 Act to a committee or interim committee of the Legislative Assembly related to wildfire, in  
31 the manner provided in ORS 192.245, to the State Wildfire Programs Director and to the  
32 Wildfire Programs Advisory Council:

33 “(a) On or before the date of convening of the regular session of the Legislative Assembly  
34 as specified in ORS 171.010.

35 “(b) Approximately six months after the date described in paragraph (a) of this sub-  
36 section.

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

38 “(a) A status report regarding community risk reduction and the establishment, admin-  
39 istration and enforcement of defensible space requirements;

40 “(b) The amount of moneys expended during the year for community risk reduction and  
41 the establishment, administration or enforcement of defensible space requirements;

42 “(c) The amount of moneys expended during the year for the suppression of fires on  
43 wildland-urban interface lands; and

44 “(d) Any recommendations of the State Fire Marshal for legislative action, including, but  
45 not limited to, current or future resource and funding needs for community risk reduction

1 and establishing, administering or enforcing defensible space requirements.

2  
3 "LAND USE

4  
5 "SECTION 11. (1) As used in this section, 'defensible space' has the meaning given that  
6 term in section 8 of this 2021 Act.

7 "(2) The Department of Land Conservation and Development shall identify updates to the  
8 statewide land use planning program and local comprehensive plans and zoning codes that  
9 are needed in order to incorporate wildfire risk maps and minimize wildfire risk, including  
10 the appropriate levels of state and local resources necessary for effective implementation.

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

14 "(4) On or before October 1, 2022, the Department of Land Conservation and Development  
15 shall:

16 "(a) Complete the updates.

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

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

25  
26 "BUILDING CODES

27  
28 "SECTION 12. (1) For extreme and high wildfire risk classes in the wildland-urban  
29 interface that are identified pursuant to section 7 of this 2021 Act, the Department of Con-  
30 sumer and Business Services shall adopt wildfire hazard mitigation building code standards  
31 that apply to new dwellings and the accessory structures of dwellings, as described in section  
32 R327 of the 2021 Oregon Residential Specialty Code.

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

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

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

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

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

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

3       “(2) Make any necessary adjustments to the applicability of the standards and permitting  
4 requirements in the code.

5       “SECTION 12c. The Department of Consumer and Business Services:

6       “(1) Shall develop and maintain an interactive mapping tool that displays, at the property  
7 level, wildfire hazard mitigation standards covered in section R327 of the Oregon Residential  
8 Specialty Code. The tool must be designed to support future inclusion of snow load, seismic  
9 and wind building code standards at the property level.

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

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

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

16       “(5) May enter into an agreement with the university concerning services required to  
17 develop and maintain the tool.

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

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

22       In line 35, after “conditions” insert “caused by wildfire smoke”.

23       Delete lines 43 through 45.

24       On page 8, delete lines 1 through 38 and insert:

25       “SECTION 14. (1) As used in this section, ‘smoke filtration system’ means an air  
26 filtration system capable of removing particulates and other harmful components of wildfire  
27 smoke in a public building.

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

31       “(a) Establish emergency clean air shelters.

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

34       “(3) The department shall require grantees to provide access to the clean air shelters at  
35 no charge.

36       “SECTION 14a. The Department of Human Services is the lead state agency for clean air  
37 shelter operations. The department shall:

38       “(1) Consult and collaborate with the Oregon Health Authority to align practices for  
39 voluntary evacuations and emergency sheltering operations.

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

42       “(3) Provide support to local agencies that take lead roles in operating and planning clean  
43 air shelters in the local agencies’ jurisdictions.

44       “SECTION 14b. No later than June 30, 2023, in consultation with the Oregon Health Au-  
45 thority, the Department of Human Services shall report to an appropriate committee or in-

1 **terim committee of the Legislative Assembly, in the manner described in ORS 192.245, to the**  
2 **State Wildfire Programs Director and to the Wildfire Programs Advisory Council on:**

3 **“(1) The grants administered pursuant to section 14 of this 2021 Act, including informa-**  
4 **tion about which local governments received grants.**

5 **“(2) Any barriers to administering the grants.**

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

7 **“(4) Public health impacts from wildfire smoke events.**

8 **“SECTION 15. (1) As used in this section, ‘smoke filtration device’ means portable air**  
9 **cleaners and furnace, heating, ventilation and air conditioning filters that are intended to**  
10 **remove contaminants, including particulates and other harmful components of wildfire**  
11 **smoke, from the air in a room to improve indoor air quality.**

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

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

16 **“(4) If the authority awards grants described in this section, the authority shall give**  
17 **priority to funding for smoke filtration devices in residential buildings occupied by persons**  
18 **who qualify for the Oregon Health Plan or Medicaid and are vulnerable to the health effects**  
19 **of wildfire smoke.**

20 **“(5) The authority may adopt rules establishing standards for smoke filtration devices**  
21 **obtained with grant moneys received under this section, including, but not limited to, mini-**  
22 **imum acceptable efficiency for the removal of particulates and other harmful substances**  
23 **generated by wildfires.**

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

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

30 **“(1) The use of smoke filtration devices funded under section 15 of this 2021 Act, includ-**  
31 **ing use of the smoke filtration devices by vulnerable and underserved communities.**

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

33 **“(3) Areas for improvement.**

34 **“(4) Public health impacts during wildfire smoke events.**

35 **“(5) Whether funding described in section 15 of this 2021 Act has provided a public health**  
36 **return on investment.”.**

37 On page 9, line 29, after “facilities” insert “, the Department of Human Services”.

38 Delete lines 40 through 45 and delete page 10.

39 On page 11, delete lines 1 through 8 and insert:

40 **“SECTION 18. (1)(a) The State Forestry Department shall design and implement a pro-**  
41 **gram to reduce wildfire risk through the restoration of landscape resiliency and the re-**  
42 **duction of hazardous fuel on public or private forestlands and rangelands and in communities**  
43 **near homes and critical infrastructure.**

44 **“(b) The department shall ensure that the program is consistent with the objectives de-**  
45 **scribed in this section and biennially select, administer and evaluate projects consistent with**

1 the objectives described in this subsection.

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

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

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

13 “(a) In collaboration with the Oregon State University Extension Service and other en-  
14 tities, identify strategic landscapes that are ready for treatment, giving priority to projects  
15 within the landscapes that are:

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

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

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

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

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

28 “(A) Evaluate varying types of fuel treatment methods;

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

33 “(C) Optimize the receipt of federal government investments that equal or exceed de-  
34 partment investments.

35 “(c) Design the projects to involve existing forest-based and range-based contracting en-  
36 tities.

37 “(d) Design the projects to complement programs and projects of the Oregon Watershed  
38 Enhancement Board or other state agencies as needed.

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

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



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

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

4 “(a) Inventoried roadless areas;

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

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

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

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

16 “(f) Federally designated areas of critical environmental concern or federally designated  
17 wilderness study areas.

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

20 In line 16, after “Governor” insert “, State Wildfire Programs Director and Wildfire Programs  
21 Advisory Council”.

22 In line 27, delete “forest” and insert “forestland and rangeland”.

23 In line 34, after “Governor” insert “, State Wildfire Programs Director and Wildfire Programs  
24 Advisory Council”.

25 In line 44, after “burned” insert “or treated”.

26 On page 12, line 3, delete “forest” and insert “forestland or rangeland”.

27 Delete lines 15 through 45 and delete page 13.

28 On page 14, delete lines 1 through 3 and insert:

29  
30 **“OREGON CONSERVATION CORPS**

31  
32 **“SECTION 21. (1) The Oregon Conservation Corps Program is established for the pur-  
33 poses of:**

34 **“(a) Reducing the risk wildfire poses to communities and critical infrastructure.**

35 **“(b) Helping to create fire-adapted communities.**

36 **“(c) Engaging youth and young adults in workforce training.**

37 **“(2) Youth and young adults between 13 years of age and 26 years of age who have been  
38 qualified by a youth development organization may participate in projects undertaken by the  
39 corps.**

40 **“(3) Notwithstanding any contrary provision of law, participants in projects undertaken  
41 by the corps:**

42 **“(a) Are not employees of the corps.**

43 **“(b) Are exempt from prevailing wage laws.**

44 **“(c) Must receive compensation for their participation of at least minimum wage or an  
45 allowance or stipend that, when combined with other sources of payment the participant is**

1 eligible to receive, including academic credit or an AmeriCorps education award, is equiv-  
2 alent to the value of minimum wage.

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

6 **“(2) The Oregon Conservation Corps Advisory Committee is established within the Higher**  
7 **Education Coordinating Commission for the purpose of managing the Oregon Conservation**  
8 **Corps Program.**

9 **“(3) The Governor shall determine the number of members on the committee and appoint**  
10 **the members.**

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

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

15 **“(6) Members may not receive compensation for service on the committee, but, subject**  
16 **to any applicable laws regulating travel and other expenses of state officers and employees,**  
17 **may be reimbursed for actual and necessary travel and other expenses incurred in the per-**  
18 **formance of committee duties with moneys available to the commission for the purpose of**  
19 **reimbursing the members.**

20 **“(7) The committee shall administer a grant process that:**

21 **“(a) Provides funding to support the work conducted by the Oregon Conservation Corps**  
22 **Program.**

23 **“(b) Defines and uses an equity lens in awarding grants by identifying and supporting**  
24 **populations with greater vulnerability including communities of color, indigenous communi-**  
25 **ties, communities with members who have limited proficiency in English and communities**  
26 **with lower-income members.**

27 **“(c) Awards grants to eligible organizations.**

28 **“(d) Ensures that grant awards support activities described in section 21 (1) of this 2021**  
29 **Act and subsection (8) of this section.**

30 **“(e) Establishes guidelines for prioritizing grant-supported projects to reduce community**  
31 **fire risks, promote youth and young adult workforce development and educational experi-**  
32 **ences and reduce hazardous fuels.**

33 **“(8) The committee shall consult with the State Forestry Department to ensure that the**  
34 **grant process awards funds to proposals that:**

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

37 **“(b) Meet standards for fuel treatment established by the department.**

38 **“(9) The committee shall biennially submit a report, on the timeline described in ORS**  
39 **293.640, to an appropriate committee or interim committee of the Legislative Assembly, as**  
40 **described in ORS 192.245, and to the State Wildfire Programs Director and Wildfire Programs**  
41 **Advisory Council, regarding the expenditure of moneys deposited in the Oregon Conservation**  
42 **Corps Fund.**

43 **“SECTION 23. (1) The Oregon Conservation Corps Fund is established in the State**  
44 **Treasury, separate and distinct from the General Fund. Interest earned by the Oregon Con-**  
45 **servation Corps Fund shall be credited to the fund.**



1 panded system of automated smoke detection cameras that includes staffing in detection  
2 centers to monitor and alert fire suppression staff when fires are detected.

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

5 “SECTION 30a. The State Forestry Department:

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

10 “(2) Shall increase the department’s wildfire readiness and response capacity, including  
11 increases to fire suppression response personnel, aviation assets and necessary administra-  
12 tive support personnel, to the extent the department receives funding for the increase.

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

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

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

24 “(6) May enter into cooperative agreements or contracts with a local or private entity  
25 for the purpose of assisting the entity to organize for purposes of wildfire risk mitigation or  
26 wildfire response, including, but not limited to, facilitating wildfire training and the acqui-  
27 sition of firefighting equipment for the entity and assisting with payment for liability insur-  
28 ance and other administrative expenses of the entity associated with wildfire risk mitigation  
29 or wildfire response.

30 “SECTION 30b. (1) The office of the State Fire Marshal shall increase the office’s wildfire  
31 readiness and response capacity to the extent the office receives funding for the increase,  
32 by means including:

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

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

37 “(2) The State Fire Marshal may:

38 “(a) Designate funding intended for the Oregon fire mutual aid system to support pre-  
39 positioning of resources and costs.

40 “(b) Enter into contracts with federal or state agencies, other states, political subdi-  
41 visions, corporations and authorities having fire suppression jurisdiction for fire prevention,  
42 suppression, coordination and response.

43  
44 “WILDLAND-URBAN INTERFACE FIRE PROTECTION  
45

1 “**SECTION 31.** ORS 477.015 is amended to read:

2 “477.015. [(1)] As used in **this section and** ORS [477.015 to 477.061] **477.025 and 477.027**, unless  
3 the context otherwise requires, [forestland-urban] **wildland-urban** interface’ means **the geographic**  
4 **area in which structures and other human development meet or intermingle with wildland**  
5 **or vegetative fuels.** [a geographic area of forestland inside a forest protection district where there  
6 exists a concentration of structures in an urban or suburban setting.]

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

8 “[a] ‘Committee’ means a county forestland-urban interface classification committee.]

9 “[b] ‘Governing body’ means the board of county commissioners or county court of a county, as  
10 the case may be.]”.

11 Delete lines 11 through 19 and insert:

12 “**SECTION 33.** ORS 477.027 is amended to read:

13 “477.027. (1) By administrative rule, the State Board of Forestry shall establish criteria by  
14 which the [forestland-urban] **wildland-urban** interface shall be identified and classified. The criteria  
15 shall recognize differences across the state in fire hazard, fire risk and structural characteristics  
16 within the [forestland-urban] **wildland-urban** interface.

17 “(2) The [criteria shall include not less than three nor more than] **board shall establish** five  
18 classes of [forestland-urban] **wildland-urban** interface **based on the criteria.**

19 “(3) **The classes must be integrated into the comprehensive statewide map described in**  
20 **section 7 of this 2021 Act.**”.

21 In line 30, delete “integrate” and insert “integrating”.

22 In line 40, delete the second comma and insert “and”.

23 On page 18, after line 6, insert:

24 “(h) Collaborating with the State Resilience Officer and participating in any relevant emergency  
25 preparedness advisory councils.

26  
27 “**WILDFIRE PROGRAMS ADVISORY COUNCIL**

28  
29 “**SECTION 36.** (1) As used in this section, ‘defensible space’ has the meaning given that  
30 term in section 8 of this 2021 Act.

31 “(2) There is established a Wildfire Programs Advisory Council to advise and assist the  
32 State Wildfire Programs Director by:

33 “(a) **Closely monitoring implementation of activities related to wildfire prevention and**  
34 **response, including receiving and evaluating agency reports related to wildfire prevention**  
35 **and response.**

36 “(b) **Providing advice on potential changes to the activities in order to fulfill the goal of**  
37 **dramatically reducing wildfire risk in this state and ensuring that regional defensible space,**  
38 **building codes and land use applications are appropriate.**

39 “(c) **Strengthening intergovernmental and multiparty collaboration and enhancing col-**  
40 **laboration between governments and stakeholders on an ongoing basis.**

41 “(d) **Developing strategies to enhance collaboration among governmental bodies and the**  
42 **general public.**

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

1       “(f) Assessing the application of defensible space requirements to vineyards, crops and  
2 other cultivated vegetation.

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

9       “(3) The council is not a decision-making body but instead is established to provide ad-  
10 vice, assistance, perspective, ideas and recommendations to the State Wildfire Programs  
11 Director.

12       “(4) The President of the Senate and Speaker of the House of Representatives shall  
13 jointly appoint 19 members to the council as follows:

14       “(a) One member who represents county government.

15       “(b) One member who is a land use planning director of a county that is wholly or par-  
16 tially within the wildland-urban interface.

17       “(c) One member who represents city government.

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

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

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

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

26       “(h) One member who represents rural residential property owners whose property is  
27 wholly or partially within the wildland-urban interface.

28       “(i) One member who represents farming property owners whose property is wholly or  
29 partially within the wildland-urban interface.

30       “(j) One member who represents ranching property owners whose property is wholly or  
31 partially within the wildland-urban interface.

32       “(k) One member who represents forestland owners whose property is wholly or partially  
33 within the wildland-urban interface.

34       “(L) One member who represents federally recognized Indian tribes with land wholly or  
35 partially within the wildland-urban interface.

36       “(m) One member who represents a utility company.

37       “(n) One member who represents environmental interests.

38       “(o) One member who represents forest resiliency interests.

39       “(p) One member who represents state or regional land use planning organizations.

40       “(q) One member who represents land and housing development interests or real estate  
41 industry interests.

42       “(r) One member who represents public health professionals.

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

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

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

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

5 “(8) The members are eligible for reappointment.

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

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

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

13 “(a) Cooperatively staff the council.

14 “(b) Attend council meetings as informational resources.

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

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

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

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

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

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

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

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

31 Delete lines 7 through 45.

32 On page 19, delete lines 1 through 16.

33 On page 22, delete lines 17 through 45 and delete page 23.

34 On page 24, delete lines 1 through 39 and insert:

35  
36 “APPROPRIATIONS

37 “(State Forestry Department)

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

43 “SECTION 45. Notwithstanding any other law limiting expenditures, the limitation on  
44 expenditures established by section 2 (2), chapter \_\_, Oregon Laws 2021 (Enrolled Senate  
45 Bill 5518), for the biennium beginning July 1, 2021, as the maximum limit for payment of ex-

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

7 “SECTION 46. Notwithstanding any other provision of law, the General Fund appropri-  
8 ation made to the State Forestry Department by section 1 (3), chapter \_\_, Oregon Laws 2021  
9 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2021, for federal forest resto-  
10 ration, is increased by \$27,990,713, for carrying out the provisions of sections 7, 18, 20, 24 and  
11 30a of this 2021 Act.

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

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

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

30  
31 “(Public Utility Commission)

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

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

41  
42 “SECTION 51. Notwithstanding any other provision of law, the General Fund appropri-  
43 ation made to the Department of State Police by section 1 (1), chapter \_\_, Oregon Laws 2021  
44 (Enrolled House Bill 5028), for the biennium beginning July 1, 2021, for patrol services,  
45 criminal investigations, gaming enforcement and the office of the State Fire Marshal, is in-



1 created by \$13,506,889, for carrying out the provisions of sections 8a, 10 and 30b (1) of this  
2 2021 Act.

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

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

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

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

23  
24 “(Department of Environmental Quality)

25  
26 “SECTION 56. Notwithstanding any other provision of law, the General Fund appropri-  
27 ation made to the Department of Environmental Quality by section 1 (1), chapter \_\_, Oregon  
28 Laws 2021 (Enrolled Senate Bill 5516), for the biennium beginning July 1, 2021, for air quality,  
29 is increased by \$3,322,828, for carrying out the provisions of sections 13, 13a and 13b of this  
30 2021 Act.

31  
32 “(Department of Human Services)

33  
34 “SECTION 57. Notwithstanding any other provision of law, the General Fund appropri-  
35 ation made to the Department of Human Services by section 1 (1), chapter \_\_, Oregon Laws  
36 2021 (Enrolled Senate Bill 5529), for the biennium beginning July 1, 2021, for central services,  
37 is increased by \$5,187,411, for carrying out the provisions of sections 14, 14a and 14b of this  
38 2021 Act.

39  
40 “(Oregon Health Authority)

41  
42 “SECTION 58. Notwithstanding any other provision of law, the General Fund appropri-  
43 ation made to the Oregon Health Authority by section 1 (1), chapter \_\_, Oregon Laws 2021  
44 (Enrolled House Bill 5024), for the biennium beginning July 1, 2021, for health systems, health  
45 policy and analytics and public health, is increased by \$4,768,812, for carrying out the pro-

1 visions of sections 14, 14a, 14b, 15 and 15a of this 2021 Act.

2  
3 “(Oregon Military Department)

4  
5 “SECTION 59. Notwithstanding any other provision of law, the General Fund appropri-  
6 ation made to the Oregon Military Department by section 1 (3), chapter \_\_\_, Oregon Laws  
7 2021 (Enrolled Senate Bill 5535), for the biennium beginning July 1, 2021, for emergency  
8 management, is increased by \$700,003, for carrying out the provisions of section 17 of this  
9 2021 Act.

10  
11 “(Higher Education Coordinating Commission,  
12 Oregon State University)

13  
14 “SECTION 60. Notwithstanding any other provision of law, the General Fund appropri-  
15 ation made to the Higher Education Coordinating Commission by section 1 (11), chapter \_\_\_,  
16 Oregon Laws 2021 (Enrolled Senate Bill 5528), for the biennium beginning July 1, 2021, for  
17 distribution to public university statewide programs, is increased by \$1,138,040, for distrib-  
18 ution to Oregon State University for carrying out the provisions of sections 7, 12c and 18 of  
19 this 2021 Act.

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

25 “SECTION 62. In addition to and not in lieu of any other appropriation, there is appro-  
26 priated to the Higher Education Coordinating Commission, for the biennium beginning July  
27 1, 2021, out of the General Fund, the amount of \$10,000,000, for deposit in the Oregon Con-  
28 servation Corps Fund established by section 23 of this 2021 Act.

29 “SECTION 63. In addition to and not in lieu of any other appropriation, there is appro-  
30 priated to the Higher Education Coordinating Commission, for the biennium beginning July  
31 1, 2021, out of the General Fund, the amount of \$1,000,000, to match private donations that  
32 are donated for the purposes of funding grant-supported projects related to the Oregon  
33 Conservation Corps Program established by section 21 of this 2021 Act.

34  
35 “(Office of the Governor)

36  
37 “SECTION 64. Notwithstanding any other provision of law, the General Fund appropri-  
38 ation made to the Office of the Governor by section 1, chapter \_\_\_, Oregon Laws 2021 (En-  
39 rolled Senate Bill 5520), for the biennium beginning July 1, 2021, is increased by \$497,541, for  
40 carrying out the provisions of section 35 of this 2021 Act.”.

41 In line 43, delete “45” and insert “65”.

42 On page 25, line 3, delete “46” and insert “66”.