



February 8, 2022

Senator Jeff Golden, Chairman
Senate Natural Resources and Wildfire Recovery Committee

Chair Golden and Members of the Committee,

While the goal to enhance rural fire protection is laudable, SB 1582 as drafted, appears to create as many or more problems than it is trying to fix.

First, rural fire districts already can bill for services when they are working outside their district boundaries. While they might not like to do this, it does give them the tools they claim to need for serving people who are not members of the district. Under current law, if districts are working efficiently, landowners can be encouraged to join as a cost saving rather than forced into districts without a say in the process. This bill gives districts unbridled ability to build more fire stations on the edge of their district boundaries in order to force people into the district to pay for the debts of the district they had no say in creating.

Second, this bill removes the requirement that rural fire districts confer with Oregon Department of Forestry about which land should or should not be annexed into a district. This creates multiple problems as under our laws, ODF is charged with fire protection on forest lands inside forest boundaries and rural fire districts are charged with protecting structures. This bill allows the annexation of any land (Section 2, 2). This creates uncertainty for affected property owners without structures that would be subjected to annexation and taxed for services with no guarantee of service delivery.

Additionally, the bill contains an arbitrary seven-mile buffer that in some parts of the state will pit one Rural Fire Protection District (RFPD) against another RFPD. While that may result in the best delivery of service to the property owner, the bill as drafted doesn't exempt properties that are already served by an existing RFPD. The proposed amendment may fix that issue for existing areas, but what happens if this bill passes and a property, currently outside of any district, lies within seven miles of two or more fire stations? Does that create a race to the Department of Revenue to see which district gets the parcel?

The aforementioned seven-mile distance is based on road miles, which we appreciate. But included are private roads. Does this mean roads through private timber lands could be included in the boundary? What if those roads are gated? Will the landowner be required to give access to the fire district? If so, who will have the liability in case of an accident?

We offer the following suggestions to improve SB 1582:

- Property owners subject to annexation should receive a notice of that proposal.
- Provide a process for affected property owners to vote on the proposal.
- State that RFPDs may annex land within a certain distance of the station if the landowner requests it.
- Provide that the RFPD seeking the annexation make a declaratory statement on services they would provide to properties proposed for annexation.

Landowners should not be required to join a protection district without any say as to whether they want to be served by the district or pay for the services.

SB 1582, while well-intentioned, needs clarification before it is advanced.

Thank for the opportunity to testify.

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