

**HB 3485 B STAFF MEASURE SUMMARY**

Carrier: Sen. Prozanski

**Senate Committee On Natural Resources****Action Date:** 05/10/23**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**Vote:** 3-1-1-0**Yeas:** 3 - Golden, Prozanski, Taylor**Nays:** 1 - Smith DB**Exc:** 1 - Girod**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Laura Kentnesse, LPRO Analyst**Meeting Dates:** 5/3, 5/10**WHAT THE MEASURE DOES:**

Provides additional discretionary powers to the State Fire Marshal, including the authority to establish a department headquarters and regional offices; to enter into lease agreements and take title to real property; to use land and buildings to accommodate employees, vehicles, and equipment; to own and operate emergency response vehicles; and to otherwise control and regulate motor vehicles and equipment for official state business. Directs the Department of the State Fire Marshal (DSFM) to create standardized uniforms and to provide department employees with uniforms, response apparatus, motor vehicles, and all other necessary emergency supplies and equipment. Provides technical reformatting to DSFM penalty statutes. Excludes retired members employed by DSFM for fire prevention, fire preparedness, fire risk mitigation, firefighting, emergency response, or other response support functions from limitations on the number of hours worked per calendar year.

**ISSUES DISCUSSED:**

- Legislative history of House Bill 2927 (2021), which established DSFM as a standalone agency
- Anticipated need to finalize agency authorities during the 2023 regular legislative session
- Distinction between a nonemployee wearing a DSFM uniform versus a nonemployee representing themselves as a DSFM employee while wearing a DSFM uniform

**EFFECT OF AMENDMENT:**

Removes prohibition on individuals from wearing, using, ordering, copying, or imitating department uniforms if they are not employees of the Department of the State Fire Marshal.

**BACKGROUND:**

The Office of the State Fire Marshal (OSFM) was established in 1917, and its mission is to protect people, property, and the environment from fire and hazardous materials. OSFM has been administratively housed within several state agencies over the years, and most recently within the Oregon State Police as of 1993 to consolidate state safety responsibilities. In 2021, the Legislative Assembly enacted House Bill 2927, which converted OSFM into an independent state agency, titled the Department of the State Fire Marshal (DSFM), to be effective July 1, 2023. Agency alignment, resource competition, historic wildfires, and catastrophic events were cited as the driving rationale for elevating the office to independent department status.

House Bill 3485 B would provide additional discretionary powers to the State Fire Marshal; provide for standardized uniforms, response apparatus, vehicles, and equipment for DSFM employees; and exclude retired members employed by DSFM from limitations on the total number of hours worked.