

HB 4016 A STAFF MEASURE SUMMARY
House Committee On Climate, Energy, and Environment

Carrier: Rep. Marsh

Action Date: 02/19/24

Action: Do pass with amendments and rescind subsequent referral to Ways and Means. (Printed A-Eng.)

Vote: 10-0-0-0

Yeas: 10 - Andersen, Gamba, Helm, Levy B, Levy E, Marsh, Osborne, Owens, Pham K, Wallan

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 2/5, 2/14, 2/19

WHAT THE MEASURE DOES:

The measure modifies the Prescribed Fire Liability Pilot Program, extends the deadline for the Fire Hardening Grant Program to December 31, 2025, and establishes a fund related to smoke preparedness and response.

Detailed Summary:

Prescribed Fire Liability Pilot Program

Directs Department of Consumer and Business Services (DCBS) to reimburse claims under the Prescribed Fire Liability Pilot Program (Program) that meet certain criteria related to use of prescribed fire and cultural burning. Authorizes DCBS to reimburse a claim under the Program only if the Oregon Department of Forestry (ODF) certifies that the claim meets certain criteria. Prohibits the amount paid from the Prescribed Fire Claims Fund for any claim for losses arising from a prescribed fire or cultural burn from exceeding \$1,000,000.

Fire Hardening Grant Program

Extends the deadline to apply for the Fire Hardening Grant Program from June 30, 2025, to December 31, 2025. Sunsets the application period extension on January 2, 2026. Requires DCBS and the Oregon State Fire Marshal to report, on or before September 15, 2024, to committees of the Legislative Assembly related to natural resources on a proposal for a proactive home hardening program.

Health Systems for Smoke

Updates language related to “particulate matter,” “poor air quality,” and “smoke events” in a program to support community monitoring of air quality conditions caused by wildfire smoke (ORS 468A.836).

Takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Historical context for using prescribed burning and cultural burning
- Uses of commercial thinning of forests vs. prescribed or cultural burning
- Clarification of payor of funds

EFFECT OF AMENDMENT:

The amendment removes the Smoke Preparedness and Response Fund.

BACKGROUND:

In 2021, the Legislative Assembly enacted Senate Bill 762, a wide-ranging wildfire law that invested in dozens of programs and initiatives that aligned with three key strategies: creating fire-adapted communities, increasing the resiliency of Oregon's landscapes, and developing safer and more effective wildfire response. Almost \$6.3 million

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dollars were appropriated in 2021 to the Department of Consumer and Business Services for a Fire Hardening Grant Program to incentivize fire hardening improvements for certain buildings damaged or destroyed by wildfire during certain years.

Senate Bill 80 (2023) modified various wildfire provisions from SB 762, including

- allowing nonprofits and faith-based organizations to establish emergency spaces for cleaner air, warming, or cooling under a Department of Human Services (DHS) grant; program and clarifying that DHS's support for entities operating and planning cleaner air, warming, or cooling spaces includes the provision of technical expertise, equipment, staff assistance, training, and general assistance;
- establishing the Landscape Resiliency Fund to continuously appropriate moneys to the Oregon Department of Forestry (ODF) for landscape resilience projects;
- authorizing the Landscape Resiliency Fund and the Community Risk Reduction Fund to receive gifts, grants, donations, endowments, or bequests from any public or private sources;
- allowing financial assistance to be provided to members of socially and economically vulnerable communities for defensible space efforts on land where they reside, rather than land that they own; and
- creating a Prescribed Fire Liability Pilot Program administered by ODF, with claims reimbursements administered by the Department of Consumer and Business Services.