

Submitter: D Torres

On Behalf Of:

Committee: House Committee On Climate, Energy, and Environment

Measure: HB4016

This bill makes certain changes to a program for planned fires under the Prescribed Fire Liability Pilot Program. Maximum claim is limited to \$1 million. Directs the Department of Consumer and Business Services to allow a person to apply for a grant under the Fire Hardening Grant Program designed to make a home more resistant to fire on or before December 31, 2025. Directs the Department of Consumer and Business Services and the Department of the State Fire Marshal to report, on or before September 15, 2024, to committees or interim committees of the Legislative Assembly related to natural resources on a proposal for a proactive home hardening program. Establishes the Smoke Preparedness and Response Fund in the State Treasury. Continuously appropriates moneys in the fund to the Department of Environmental Quality for assistance with community smoke response plans – changing it from elevated levels of particulate matter limiting the focus.

The criterial for filing a claim for economic and property damage is that it relates to a prescribed fire or cultural burn conducted in accordance with the provisions of any applicable burn plan or permit and any other applicable conditions or Requirements.

It allows the State Forester or a forest protective association or agency to make claims for the actual costs incurred in controlling or extinguishing the prescribed fire or cultural burn, but only to the extent that such costs would be recoverable from an owner or operator of forestland pursuant to ORS 477.068 and 477.120. This provision allows OSF to make a claim and recover cost from the owner giving them double benefits.

As the previous person put it: "Isn't this putting the wolf in charge of the hen house seeing that the State Forestry Department operates prescribed burns, is eligible to claim damages from the program and owner, and self-certify the claim for payment."