

# House Bill 2817

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Tina Kotek for State Forestry Department)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act removes permit closure of forests. (Flesch Readability Score: 66.7). Eliminates the closure of forestland, due to fire danger, by permit closure.

## A BILL FOR AN ACT

1  
2 Relating to forestland closures; amending ORS 477.535, 477.540 and 477.545.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 477.535 is amended to read:

5 477.535. (1) If the forester determines that any forestland inside or within one-eighth of one mile  
6 of a forest protection district is particularly exposed to fire danger, by proclamation the forester  
7 may designate such forestland as an extra fire hazard and may restrict the use of such forestland.

8 (2) The proclamation shall designate the area to which and the period during which the re-  
9 strictions apply, and require that the area be subject to use only upon the condition that entrants  
10 comply with all the restrictions for the area.

11 (3) The proclamation shall designate the type of closure as:

12 (a) Regulated closure; **or**

13 *[(b) Permit closure; or]*

14 *[(c)]* (b) Absolute closure.

15 (4) For the purpose of consistency and coordination between all affected agencies in the ad-  
16 ministration of forestland restrictions, a plan shall be developed by the forester, in cooperation with  
17 federal, state and local governmental agencies, landowners and organizations affected by the re-  
18 strictions. The primary objective of the plan is uniformity of regulations regardless of land owner-  
19 ship. The plan must recognize variation in fire danger and must specify levels of closure by unique  
20 but easily recognizable geographic boundaries.

21 **SECTION 2.** ORS 477.540 is amended to read:

22 477.540. (1) The forester shall cause a notice of the closure proclaimed under ORS 477.535 to  
23 be posted in conspicuous locations that are in or near the designated areas. The forester shall cause  
24 a notice of each proclamation to be published in at least one newspaper published in each forest  
25 protection district containing the designated areas. Each published notice shall describe the area,  
26 type, restrictions and effective date of closure, *and the manner in which permits may be secured if*  
27 *the area is subject to a permit closure*.

28 (2) The proclamation shall remain in force until the time designated therein expires or until the  
29 forester finds that the restricted use is no longer requisite and by order suspends or terminates it.  
30 A reinstatement of a closure after a suspension does not require the notices described in subsection

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (1) of this section.

2 **SECTION 3.** ORS 477.545 is amended to read:

3 477.545. (1) Regulated closures require entrants into designated areas to comply with the re-  
4 quirements set forth in the proclamation under ORS 477.535, which requirements in the judgment  
5 of the forester are necessary to prevent danger to life, forest resources or property.

6 *[(2) Permit closures make the area subject to entry only through permit issued by the forester. The*  
7 *permit shall contain requirements which in the judgment of the forester are necessary to prevent danger*  
8 *to life, forest resources or property. The forester may, during periods of fire hazard conditions, refuse,*  
9 *suspend, revoke or restrict such permits.]*

10 *[(3)]* **(2)** Absolute closures restrict the areas to all forms of use and shall be designated only  
11 during periods of extreme fire hazard conditions endangering life, forest resources or property.

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