

**Fire Policy Committee
Minutes
February 19, 2010**

The Fire Policy Committee of the Board on Public Safety Standards and Training held a regular meeting at 9:00 a.m. on February 19, 2010 at the Oregon Public Safety Academy in Salem, Oregon. Chair Jim Whelan called the meeting to order at 9:00 a.m.

Attendees

Committee Members:

James Whelan, Oregon Volunteer Firefighters' Association, Chair
Kelly Bach, Oregon State Fire Fighters Council, Vice Chair
Larry Goff, Oregon Fire District Directors' Association
William Klein, Community College Fire Programs
John Klum, Portland Fire & Rescue
William Lafferty, Oregon Department of Forestry
Mark Prince, Oregon Fire Chiefs' Association
Joe Seibert, Non-Management Firefighter
Randy Simpson, Oregon State Fire Marshal
Rod Smith, Oregon Fire Instructors Association
Michelle Stevens, Oregon State Fire Marshal's Association

DPSST Staff:

Eriks Gabliks, Director
Mark Ayers, Assistant Training Division Director
Julie Olsen-Fink, Fire Certification Supervisor
Tina Diehl, Fire Certification Specialist
Allison Sebern, Fire Certification Coordinator
Marilyn Lorance, Standards & Certification Program Supervisor
Kristen Turley, Standards & Compliance Coordinator
Lorraine Anglemier, Legal Training Coordinator

Guests:

Ryan Karjala, Sisters-Camp Sherman RFPD
Jay Alley, Stayton Fire District
Terry Riley, Willamette Valley Fire & Rescue Authority
Chris Hunt, Corvallis Fire Department
Johnny Mack, Chemeketa Community College



1. Minutes from November 20, 2009 meeting

Mark Prince moved to approve the minutes from the November 20, 2009 Fire Policy Committee meeting. Bill Klein seconded the motion. The motion carried in a unanimous vote.

2. Proposed Administrative Rules – Denial and Revocation OAR 259-009-0070

Kristen Turley reported that on November 20, 2009, the Fire Policy Committee (FPC) met and staff requested guidance on whether certain “conspiracy” “solicitation” or “attempted” crimes should be reviewed by the FPC. The FPC discussed the issue and identified members of the group that would meet and prepare a recommendation to the FPC.

The workgroup met on January 28, 2010. Attendees included:

Committee Members:

Kelly Bach, Oregon Volunteer Firefighters’ Association, Vice Chair
Larry Goff, Oregon Fire District Directors’ Association
Mark Prince, Oregon Fire Chiefs’ Association

DPSST Staff:

Eriks Gabliks, Director
Marilyn Lorange, Program Manager
Lorraine Anglemier, Legal Services Coordinator
Kristen Turley, Standards & Compliance Coordinator
Julie Olsen-Fink, Fire Certification Supervisor
Allison Sebern, Fire Certification Coordinator
Tina Diehl, Fire Certification Specialist

The following represents their recommendations on two questions:

1. Should conspiracy and solicitation to commit a Measure 11 crime be reviewed as discretionary crimes by the FPC?
2. Should attempt, conspiracy and solicitation to commit a discretionary crime be reviewed by the FPC?

WORKGROUP DISCUSSION:

Staff summarized the issues that had led to bringing this matter forward. Lorraine Anglemier provided legal analysis of the definitions and elements of “Attempt”, “Solicitation” and “Conspiracy” crimes. Based on the elements, the burden of proof and the required mental state of “intent”, workgroup members unanimously recommended the following:

- All convictions of “Attempt”, “Solicitation” & “Conspiracy” to commit Measure 11 crimes should be reviewed by FPC.
- Convictions of “Attempt”, “Solicitation” & “Conspiracy” to commit other discretionary crimes should only be reviewed by the FPC if the conduct resulted in a conviction of a Felony or Class A misdemeanor. Convictions of Class B or C misdemeanors should not be reviewed.

Members requested staff to develop proposed changes to Oregon Administrative Rules (OAR) to reflect their recommendation.

Members also requested staff to prepare a table identifying the current discretionary crimes for which conviction of “Attempt”, “Solicit”, or “Conspire” would require FPC review. The table is included as Attachment #1.

Staff confirmed with the workgroup members that since the current standards have been in effect, there have been very few cases that would be subject to review under these proposed standards.

Following the meeting, as staff was preparing the enclosed documents for the FPC, an administrative error in current OAR was identified:

- Original workgroup notes reflect that members intended 166.651- Felony First Degree Throwing Object off Overpass, to be a discretionary disqualifier. Although 166.649 - Class A misdemeanor, Second Degree Throwing Object off Overpass, was included in the permanent rules; the felony crime was omitted from the list.

The following language also includes the addition of this felony crime to correct the prior error.

PROPOSED RULE LANGUAGE:

The following proposed language contains recommended additions (**bold and underlined text**) as recommended:

259-009-0070(4)

(c) Pursuant to ORS 181.662(3)(b), the Department has determined that, in the absence of a determination to the contrary by the Fire Policy Committee and Board, a Fire Service Professional or Instructor who has been convicted of the following crimes has violated the core values of the fire service profession and may not be fit to receive or hold certification:

- 162.015 (Bribe Giving) -- Category III;
- 162.025 (Bribe Receiving) -- Category III;
- 162.065 (Perjury) -- Category I;
- 162.117 (Public Investment Fraud) -- Category I;
- 162.155 (Escape in the Second Degree) -- Category II;
- 162.165 (Escape in the First Degree) -- Category II;
- 162.185 (Supplying Contraband) -- Category II;
- 162.205 (Failure to Appear in the First Degree) -- Category II;
- 162.265 (Bribing a Witness) -- Category III;
- 162.275 (Bribe Receiving by a Witness) -- Category III;
- 162.285 (Tampering with a Witness) -- Category III;
- 162.305 (Tampering with Public Records) -- Category III;
- 162.325 (Hindering Prosecution) -- Category III;
- 162.355 (Simulating Legal Process) -- Category III;
- 162.365 (Criminal Impersonation) -- Category I;
- 162.367 (Criminal Impersonation of a Peace Officer) -- Category I;
- 162.415 (Official Misconduct in the First Degree) -- Category II;
- 163.145 (Criminally Negligent Homicide) -- Category III;
- 163.160 (Assault in the Fourth Degree) -- Category III;
- 163.165 (Assault in the Third Degree) -- Category III;
- 163.205 (Criminal Mistreatment in the First Degree) -- Category III;

163.207 (Female Genital Mutilation) -- Category III;
163.208 (Assaulting a Public Safety Officer) -- Category III;
163.213 (Unlawful Use of an Electrical Stun Gun, Tear Gas or Mace in the First Degree) --
Category II;
163.245 (Custodial Interference in the Second Degree) -- Category III;
163.257 (Custodial Interference in the First Degree) -- Category III;
163.275 (Coercion) -- Category III;
163.355 (Rape in the Third Degree) -- Category III;
163.425 (Sexual Abuse in the Second Degree) -- Category III;
163.465 (Public Indecency) -- Category III;
163.515 (Bigamy) -- Category III;
163.525 (Incest) -- Category III;
163.535 (Abandonment of a Child) -- Category III;
163.537 (Buying or Selling a Person Under 18 years of age) -- Category III;
163.547 (Child Neglect in the First Degree) -- Category III;
163.555 (Criminal Non-Support) -- Category III;
163.670 (Using Child in Display of Sexually Explicit Conduct) -- Category III;
163.684 (Encouraging Child Sexual Abuse in the First Degree) -- Category III;
163.686 (Encouraging Child Sexual Abuse in the Second Degree) -- Category III;
163.688 (Possession of Materials Depicting Sexually Explicit Conduct of a Child in the
Second Degree) -- Category III;
163.689 (Possession of Materials Depicting Sexually Explicit Conduct of a Child in the
Second Degree) -- Category III;
163.732 (Stalking) -- Category III;
163.750 (Violating Court's Stalking Protective Order) -- Category III;
164.045 (Theft in the Second Degree) -- Category I;
164.055 (Theft in the First Degree) -- Category I;
164.057 (Aggravated Theft in the First Degree) -- Category I;
164.075 (Theft by Extortion) -- Category I;
164.125 (Theft of Services: by Deception) -- Category I;
164.135 (Unauthorized Use of a Vehicle) -- Category I;
164.140 (Criminal Possession of Rented or Leased Personal Property: felony only) --
Category I;
164.170 (Laundering a Monetary Instrument) -- Category I;
164.172 (Engaging in a Financial Transaction in Property Derived from Unlawful
Activity) -- Category I;
164.215 (Burglary in the Second Degree) -- Category III;
164.225 (Burglary in the First Degree) -- Category III;
164.235 (Possession of a Burglary Tool or Theft Device) -- Category III;
164.315 (Arson in the Second Degree) -- Category II;
164.325 (Arson in the First Degree - If not a conviction under ORS 137.700) - Category II;
164.365 (Criminal Mischief in the First Degree) -- Category III;
164.377 (Computer Crime) -- Category III;
164.395 (Robbery in the Third Degree) -- Category III;
164.868 (Unlawful Labeling of a Sound Recording) -- Category III;
164.869 (Unlawful Recording of a Live Performance) -- Category III;
164.872 (Unlawful Labeling of a Videotape Recording) -- Category III;
164.885 (Endangering Aircraft) -- Category II;
164.889 (Interference with Agricultural Research) -- Category III;
165.013 (Forgery in the First Degree) -- Category I;

165.022 (Criminal Possession of a Forged Instrument in the First Degree)-- Category I;
 165.032 (Criminal Possession of a Forgery Device) -- Category I;
 165.055 (Fraudulent Use of a Credit Card: Felony Only) -- Category I;
 165.065 (Negotiating a Bad Check) -- Category I;
 165.070 (Possessing Fraudulent Communications Device) -- Category I;
 165.074 (Unlawful Factoring of Payment Card Transaction) -- Category I;
 165.085 (Sports Bribery) -- Category III;
 165.090 (Sports Bribe Receiving) -- Category III;
 165.579 (Cellular Counterfeiting in the Second Degree) -- Category III;
 165.581 (Cellular Counterfeiting in the First Degree) -- Category III;
 165.692 (Making False Claim for Health Care Payment) -- Category I;
 165.800 (Identity Theft) -- Category I;
 165.810 (Unlawful Possession of a Personal Identification Device) -- Category I;
 165.813 (Unlawful Possession of Fictitious Identification) -- Category I;
 166.005 (Treason) -- Category II;
 166.015 (Riot) -- Category II;
 166.085 (Abuse of Corps in the Second Degree) -- Category II;
 166.087 (Abuse of Corps in the First Degree) -- Category II;
 166.155 (Intimidation in the Second Degree) -- Category III;
 166.165 (Intimidation in the First Degree) -- Category III;
 166.220 (Unlawful Use of Weapon) -- Category I;
 166.270 (Possession of Weapons by Certain Felons: Felony only) -- Category II;
 166.275 (Possession of Weapons by Inmates of Institutions) -- Category II;
 166.370 (Possession of Firearm or Dangerous Weapon in Public Building or Court Facility; Exceptions; Discharging Firearm at School) -- Category II;
 166.382 (Possession of Destructive Device Prohibited) -- Category II;
 166.384 (Unlawful Manufacture of Destructive Device) -- Category II;
 166.429 (Firearms Used in Felony) -- Category II;
 166.438 (Transfer of Firearms at Gun Shows: Felony Only) -- Category II;
 166.450 (Obliteration or Change of Identification Number on Firearms) -- Category II;
 166.642 (Felon in Possession of Body Armor) -- Category II;
 166.643 (Unlawful Possession of Body Armor) — Category II;
 166.649 (Throwing an Object Off an Overpass in the Second Degree) -- Category III;
166.651 (Throwing an Object Off an Overpass in the First Degree) – Category III;
 166.660 (Unlawful Paramilitary Activity) -- Category III;
 166.720 (Racketeering Activity Unlawful) -- Category II;
 167.012 (Promoting Prostitution) -- Category III;
 167.062 (Sodomasochistic Abuse or Sexual Conduct in Live Show: Felony Only) -- Category III;
 167.164 (Possession of Gray Machine) -- Category I;
 167.212 (Tampering with Drug Records) -- Category I;
 167.262 (Adult Using Minor in Commission of Controlled Substance Offense: Felony Only) -- Category III;
 167.322 (Aggravated Animal Abuse in the First Degree) -- Category III;
 167.339 (Assaulting Law Enforcement Animal) -- Category III;
 475.840 (Prohibited Acts Generally: Manufacture or Deliver a Controlled Substance) – Category II;
 475.846 (Unlawful Manufacture of Heroin) -- Category II;
 475.848 (Unlawful Manufacture of Heroin Within 1,000 Feet of School) - Category III;
 475.850 (Unlawful Delivery of Heroin) -- Category II;

475.852 (Unlawful Delivery of Heroin Within 1,000 Feet of School) -- Category III;
475.854 (Unlawful Possession of Heroin) -- Category II;
475.856 (Unlawful Manufacture of Marijuana) -- Category II;
475.858 (Unlawful Manufacture of Marijuana Within 1,000 Feet of School) - Category III;
475.860 (Unlawful Delivery of Marijuana: Felony only) -- Category II;
475.862 (Unlawful Delivery of Marijuana Within 1,000 Feet of School) - Category III;
475.864 (Unlawful Possession of Marijuana: Felony only) -- Category II;
475.866 (Unlawful Manufacture of 3,4-Methylenedioxymethamphetamine (Ecstasy)) --
Category II;
475.868 (Unlawful Manufacture of 3,4-Methylenedioxymethamphetamine (Ecstasy)
Within 1,000 Feet of School) -- Category III;
475.870 (Unlawful Delivery of 3,4-Methylenedioxymethamphetamine (Ecstasy)) --
Category II;
475.872 (Unlawful Delivery of 3,4-Methylenedioxymethamphetamine (Ecstasy) Within
1,000 Feet of School) -- Category II;
475.874 (Unlawful Possession of 3,4-Methylenedioxymethamphetamine (Ecstasy)) --
Category II;
475.876 (Unlawful Manufacture of Cocaine) -- Category II;
475.878 (Unlawful Manufacture of Cocaine Within 1,000 Feet of School)-Category III;
475.880 (Unlawful Delivery of Cocaine) -- Category II;
475.882 (Unlawful Delivery of Cocaine Within 1,000 Feet of School) -- Category III;
475.884 (Unlawful Possession of Cocaine) -- Category II;
475.886 (Unlawful Manufacture of Methamphetamine) -- Category II;
475.888 (Unlawful Manufacture of Methamphetamine Within 1,000 Feet of School) --
Category III;
475.890 (Unlawful Delivery of Methamphetamine) -- Category II;
475.892 (Unlawful Delivery of Methamphetamine Within 1,000 Feet of School) --
Category III;
475.894 (Unlawful Possession of Methamphetamine) -- Category II;
475.904 (Unlawful Manufacture or Delivery of Controlled Substance Within 1,000 Feet of
School) -- Category III;
475.908 (Causing Another Person to Ingest a Controlled Substance) -- Category III;
475.910 (Application of Controlled Substance to the Body of Another Person) --
Category III;
475.914 (Prohibited Acts for Registrants: Deliver or Dispense Controlled Substance) --
Category II;
475.962 (Distribution of Equipment, Solvent, Reagent or Precursor Substance with Intent
to Facilitate Manufacture of Controlled Substances) -- Category II;
475.967 (Possession of Precursor Substance With Intent to Manufacture Controlled
Substance) -- Category II;
475.977 (Possessing or Disposing of Methamphetamine Manufacturing Waste) --
Category II;
811.182 (Criminal Driving While Suspended or Revoked) -- Category II;
811.540 (Fleeing or Attempting to Elude Police Officer: Felony Only) -- Category II;
811.705 (Failure to Perform Duties of a Driver to Person Injured) -- Category II;
813.010 (DUII: Felony Only) -- Category II.

Any crime that requires the fire service professional or instructor to register as a sex offender.

An ~~a~~ **“Attempt,” “Solicitation,” or “Conspiracy”** to commit a crime listed in ORS 137.700 or in any other jurisdiction that, if committed in this state would constitute an attempt to commit a crime listed in 137.700 (and identified in OAR 259-009-0070(3)).

Conviction of felony or Class A misdemeanor “Attempt”, “Solicitation” or “Conspiracy” to commit a crime identified in this rule as a discretionary disqualifier.

ACTION ITEM I: Determine whether to recommend filing the proposed language for OAR 259-009-0070(4) with the Secretary of State as proposed rule.

ACTION ITEM II: Determine whether to recommend filing the proposed language for OAR 259-009-0070(4) with the Secretary of State as permanent rule if no comments are received.

ACTION ITEM III: Pursuant to HB 3238, determine whether there is a significant fiscal impact on small businesses. *No fiscal impact by consensus.*

Mark Prince moved to recommend to the Board to file the proposed language for OAR 259-009-0070 with the Secretary of State as proposed rule and as permanent rule if no comments are received. Rod Smith seconded the motion. The motion carried in a unanimous vote.

3. Proposed Administrative Rules – Wildland Interface Definitions OAR 259-009-0005

Julie Olsen-Fink discussed that the BPSST/DPSST Wildland Interface Task Force originally met on January 30, 2009 and initially concluded their work on February 19, 2009. The Task Force was assigned the duty of reviewing the current National Wildfire Coordinating Group (NWCG) requirements for certification and compare the changes in requirements NWCG has made since the standards were adopted by Oregon for structural fire fighters in 1998. The Task Force is recommending the Oregon fire service remain current with NWCG standards to provide consistency and further recommends Oregon Administrative Rules (OAR) reflect these changes and be adopted as permanent rule.

TASK FORCE MEMBERS

| | |
|---------------------|--|
| Ryan Karjala | Sisters-Camp Sherman Fire District (Chair) |
| Don Willis | Sunriver Fire Department (Assistant Chair) |
| Kurt Solomon | Bend Fire Department |
| Chris Babcock | Portland Fire & Rescue |
| Mariana Ruiz-Temple | Office of State Fire Marshal |
| Dave Blakely | Rural Metro Fire Department |
| Larry Langley | Crooked River Ranch RFPD |
| Milt Villegas | Tualatin Valley Fire & Rescue |
| Jim Walker | Oregon Department of Forestry |
| Scott Stanton | Hermiston Fire Department |

DPSST STAFF

| | |
|------------------|---|
| Eriks Gabliks | Acting Director |
| Julie Olsen-Fink | Fire Certification Supervisor |
| John West | Regional Fire Training Coord., PNWCG Rep. |

259-009-0005

Definitions

- (1) "Authority having jurisdiction" ~~shall~~ means the Department of Public Safety Standards and Training.
- (2) "Agency Head" means the chief officer of a fire service agency directly responsible for the administration of that unit.
- (3) "Board" means the Board on Public Safety Standards and Training.
- (4) "Chief Officer" means an individual of an emergency fire agency at a higher level of responsibility than a company officer. A chief officer supervises two or more fire companies in operations or manages and supervises a particular fire service agency program such as training, communications, logistics, prevention, emergency medical services provisions and other staff related duties.
- (5) "Community College" means a public institution operated by a community college district for the purpose of providing courses of study limited to not more than two years full-time attendance and designed to meet the needs of a geographical area by providing educational services, including but not limited to vocational or technical education programs or lower division collegiate programs.
- (6) "Company Officer" means a fire officer who supervises a company of fire fighters assigned to an emergency response apparatus.
- (7) "Content Level Course" is a course that includes an identifiable block of learning objectives or outcomes that are required for certification at one or more levels.
- (8) "Department" means the Department of Public Safety Standards and Training.
- (9) "Director" means the Director of the Department of Public Safety Standards and Training.
- (10) "Entry Level Fire Fighter" means an individual at the beginning of his/her fire service involvement. During the probationary period an entry level fire fighter is in a training and indoctrination period under constant supervision by a more senior member of a fire service agency.
- (11) "Field Training Officer" means an individual who is authorized by a fire service agency or by the Department to sign as verifying completion of tasks required by task books.
- (12) "Fire Company" means a group of fire fighters, usually 3 or more, who staff and provide the essential emergency duties of a particular emergency response apparatus.
- (13) "Fire Fighter" is a term used to describe an individual who renders a variety of emergency response duties primarily to save lives and protect property. This applies to career and volunteer personnel.

(14) "Fire Ground Leader" means a Fire Service Professional who is qualified to lead emergency scene operations."

(15) "Fire Inspector" means an individual whose primary function is the inspection of facilities in accordance with the specific jurisdictional fire codes and standards.

(16) "Fire Service Agency" means any unit of state or local government, a special purpose district or a private firm which provides, or has authority to provide, fire protection services.

(17) "Fire Service Professional" means a paid (career) or volunteer fire fighter, an officer or a member of a public or private fire protection agency who is engaged primarily in fire investigation, fire prevention, fire safety, fire control or fire suppression or providing emergency medical services, light and heavy rescue services, search and rescue services or hazardous materials incident response. "Fire service professional" does not include forest fire protection agency personnel.

(18) "Fire Training Officer" means a fire service member assigned the responsibility for administering, providing, and managing and/or supervising a fire service agency training program.

(19) "NFPA" stands for National Fire Protection Association which is a body of individuals representing a wide variety of professions, including fire protection, who develop consensus standards and codes for fire safety by design and fire protection agencies.

(20) "NFPA Airport Firefighter" means a member of a Fire Service Agency who has met job performance requirements of NFPA Standard 1003.

(21) "NFPA Driver-Operator" means a member of a fire service agency licensed to operate a fire service agency vehicle/apparatus in accordance with the job performance requirements of NFPA 1002 and who have met the Entry Level Fire Fighter requirements. Fire service agency vehicle/apparatus operators are required to be certified at NFPA 1001 fire fighter I standard prior to driver operator duties. Additional requirements are involved for those driver operators of apparatus equipped with an attack or fire pump, aerial devices, a tiller, aircraft firefighting and rescue vehicles, wildland fire apparatus, and mobile water supply apparatus (tanker/tender).

(22) "NFPA Fire Fighter I" means a member of a fire service agency who has met the ILevel I job performance requirements of NFPA standard 1001. Sometimes referred to as a journeyman fire fighter.

(23) "NFPA Fire Fighter II" means a member of a fire service agency who met the more stringent IILevel job performance requirements of NFPA Standard 1001. Sometimes referred to as a senior fire fighter.

(24) "NFPA Fire Inspector I" means an individual who conducts basic fire code inspections and has met the ILevel I job performance requirements of NFPA Standard 1031.

(25) "NFPA Fire Inspector II" means an individual who conducts complicated fire code inspections, reviews plans for code requirements, and recommends modifications to codes and standards. This individual has met the II Level II job performance requirements of NFPA standard 1031.

~~(26)~~ **(26)** "NFPA Fire Inspector III" means an individual at the third and most advanced level of progression who has met the job performance requirements specified in this standard for Level III. The Fire Inspector III performs all types of fire inspections, plans review duties, and resolves complex code-related issues.

~~(26)~~ **(27)** "NFPA Fire Investigator" means an individual who conducts post fire investigations to determine the cause and the point of origin of fire. This individual has met the job performance requirements of NFPA Standard 1033.

(28) NFPA Fire Marshal" means a person who is designated to provide delivery, management, and/or administration of fire protection and life safety related codes and standards, investigation, education, and/or prevention services for local, county, state, provincial, federal, or private sector jurisdiction as adopted or determined by that entity.

~~(27)~~ **(29)** "NFPA Fire Officer I" means the fire officer, at the supervisory level, who has met the job performance requirements specified in NFPA 1021 Standard Fire Officer Professional Qualifications. (Company officer rank)

~~(28)~~ **(30)** "NFPA Fire Officer II" means the fire officer, at the supervisory/managerial level, who has met the job performance requirements in NFPA Standard 1021. (Station officer, battalion chief rank)

~~(29)~~ **(31)** "NFPA Fire Officer III" means the fire officer, at the managerial/administrative level, who has met the job performance requirements in NFPA Standard 1021. (District chief, assistant chief, division chief, deputy chief rank)

~~(30)~~ **(32)** "NFPA Fire Officer IV" means the fire officer, at the administrative level, who has met the job performance requirements in NFPA Standard 1021. (Fire Chief)

~~(31)~~ **(33)** NFPA Instructor I means a fire service instructor who has demonstrated the knowledge and ability to deliver instruction effectively from a prepared lesson plan, including instructional aids and evaluation instruments; adapt lesson plans to the unique requirements of the students and authority having jurisdiction; organize the learning environment so that learning is maximized; and meet the record-keeping requirements of authority having jurisdiction.

~~(32)~~ **(34)** NFPA Instructor II means a fire service instructor who, in addition to meeting Instructor I qualifications, has demonstrated the knowledge and ability to develop individual lesson plans for a specific topic including learning objectives, instructional aides, and evaluation instruments; schedule training sessions based on overall training plan of authority having jurisdiction; and supervise and coordinate the activities of other instructors.

~~(33)~~ **(35)** NFPA Instructor III means a fire service instructor who, in addition to meeting Instructor II qualifications, has demonstrated the knowledge and ability to develop

comprehensive training curricula and programs for use by single or multiple organizations; conduct organization needs analysis; and develop training goals and implementation strategies.

~~(34)~~ **(36)** “NFPA Marine Land-Based Fire Fighter” means a member of a fire service agency who meets the job performance requirements of NFPA 1005.

~~(35)~~ **(37)** "Service Delivery" means to be able to adequately demonstrate, through job performance, the knowledge, skills, and ability of a certification level.

~~(36)~~ **(38)** "Staff" are those employees occupying full-time, part-time, and/or temporary positions with the Department.

~~(37)~~ **(39)** "Task Performance" means to be able to demonstrate the ability to perform the tasks, of a certification level, in a controlled environment while being evaluated.

~~(38)~~ **(40)** "The Act" refers to the Public Safety Standards and Training Act (ORS 181.610 to 181.705).

~~(39)~~ **(41)** "Topical Level Course" is a course that does not include an identifiable block of learning objectives or outcomes that are required for certification at one or more levels.

~~(40)~~ **(42)** "Track" means a field of study required for certification.

~~(41)~~ **(43)** "Waiver" means to refrain from pressing or enforcing a rule.

(44)“Wildland Interface Fire Fighter” means a person at the first level of progression who demonstrated the knowledge and skills necessary to function safely as a member of a wildland fire suppression crew whose principal function is fire suppression. This position has direct supervision.

(45)“Wildland Interface Crew Boss” means a person who is in supervisory position in charge of 16 to 21 fire fighters and is responsible for their performance, safety, and welfare.

~~(45)~~ (46)“Wildland Interface Engine Boss” means a person who is in supervisory position who has demonstrated the skills and depth of knowledge necessary to function under general supervision while operating a piece of apparatus such as an engine.

(47)“Wildland Interface Strike Team Leader Crew” means a person who is responsible to act in a ICS position and is responsible for the direct supervision of a crew strike team.

~~(46)~~ (48)“Wildland Interface Strike Team/Task Force Leader Engine” means a person who is responsible to act in an ICS position and is responsible for the direct supervision of an engine strike team.

(49) “Wildland Interface Group Supervisor” means a person who is responsible to act in an ICS position responsible for supervising equipment and personnel assigned to a

group. Groups are composed of resources assembled to perform a special function not necessarily within a single geographic division. Groups, when activated, are located between branches and resources in the operations section. Reports to a Branch Director or Operations Section Chief.

(47) (50) “Wildland Interface Division/Group Supervisor” means a person who is responsible to act in an ICS position responsible for commanding and managing resources on a particular geographic area of a wildland fire. Reports to a Branch Director or Operations Section Chief.

Bill Lafferty indicated that in (49) the word “Structural” should be added to read “Wildland Interface Structural Group Supervisor”.

ACTION ITEM I: Determine whether to recommend filing the proposed language for OAR 259-009-0005 with the Secretary of State.

ACTION ITEM II: Determine whether to recommend filing the proposed language for OAR 259-009-0005 with the Secretary of State as permanent rule if no comments are received.

ACTION ITEM III: Determine whether there is a significant fiscal impact on small businesses (See House Bill 3238). *No fiscal impact by consensus.*

Bill Lafferty moved to recommend to the Board to file the proposed language for OAR 259-009-0005, with the amended correction made adding “Structural” to (49) to read “Wildland Interface Structural Group Supervisor”, with the Secretary of State as proposed rule and as permanent rule if no comments are received. Randy Simpson seconded the motion. The motion carried in a unanimous vote.

4. Proposed Administrative Rules – Wildland Interface OAR 259-009-0062(2)(1)

Julie Olsen-Fink discussed that the BPSST/DPSST Wildland Interface Task Force originally met on January 30, 2009 and initially concluded their work on February 19, 2009. The Task Force was assigned the duty of reviewing the current National Wildfire Coordinating Group (NWCG) standards for certification and compare the changes in requirements NWCG has made since the standards were adopted by Oregon for structural fire fighters in 1998.

The Fire Policy Committee (FPC) and Board on Public Safety Standards and Training previously reviewed and approved filing a proposed permanent rule if no comments were received with the Secretary of State’s Office to amend the rules relating to NWCG Wildland Interface Standard. The proposed rules were filed with the Secretary of State’s Office and opened for public comment.

A total of two (2) public comments were received regarding OAR 259-009-0005 and OAR 259-009-0062 during the open comment period; indicating this is not an issue that would impact the entire fire service and may only be departmental issue.

FINDING OF FACT:

1. On July 24, 2009 a Notice of Rulemaking was filed with the Secretary of State's Office.
2. On September 1, 2009 the Notice of Proposed Rulemaking was published in the Secretary of State monthly publication.
3. During the month of September 2009, the Notice of Proposed Rulemaking was posted on the Department of Public Safety Standards and Training's website.
4. On September 22, 2009 the public comment period closed.

The Department provided notice of a proposed rulemaking hearing to:

- a) The Secretary of State's Office;
- b) Legislative Counsel;
- c) The agency interested parties' list; and
- d) The department's website;

Division Chief Ryan Karjala, Sisters-Camp Sherman RFPD and the Chair of the Task Force, provided the FPC with an overview regarding the goals and objectives of the Task Force. The FPC reviewed and discussed the public comments received in the scope of Chief Karjala's discussion. Mark Prince moved the committee recommend filing the proposed language for OAR 259-009-005 with the Secretary of State as a permanent rule; however, recommended the Task Force reconvene on December 17, 2009 to further discuss Division Group Supervisor and Task Force Leader. Chief Karjala recommended members from the FPC and those who submitted public comment attend and participate in the meeting for greater understanding.

TASK FORCE MEMBERS

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| Ryan Karjala | Sisters-Camp Sherman Fire District (Chair) |
| Don Willis | Sunriver Fire Department (Assistant Chair) |
| Kurt Solomon | Bend Fire Department |
| Corey Wilson | Portland Fire & Rescue |
| Dave Blakely | Rural Metro Fire Department |
| Scott Stanton | Hermiston Fire Department |
| Jim Walker | Oregon Department of Forestry |

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| Larry Goff | Lake Oswego Fire & Rescue |
| Bill Lafferty | Oregon Department of Forestry |

GUEST (Public Comment)

| | |
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| Chief John Fowler | Pendleton Fire Department (retired) |
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DPSST STAFF

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| Julie Olsen-Fink | Fire Certification Supervisor |
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As a result of their collective work, a new draft of the application has been created and the proposed administrative rules have been updated for review and discussion by the FPC.

For ease of review, only the relevant portion of the revised text is included. The following language includes recommended additions (**bold and underlined text**) and deletions (~~strikethrough text~~):

At the meeting Bill Lafferty submitted an amended version of the proposed changes and the committee worked from that draft language which follows:

259-009-0062

Fire Service Personnel Certification

* * *

(2) The following standards for fire service personnel are hereby adopted by reference:

* * *

(k) Fire Ground Leader.

(A) This is a standard that is Oregon-specific.

(B) An applicant applying for Fire Ground Leader ~~shall~~ **must** first be certified as an NFPA Fire Fighter II.

(C) An applicant **applying for Fire Ground Leader** ~~would need to~~ **must** document training in ~~at least seven~~ **all** of the following areas:

- (i) Building Construction: Non-Combustible.
- (ii) Building Construction: Combustible;
- (iii) Incident Safety Officer or Fire Fighter Safety;
- (iv) Managing Water Supplies Operations;
- (v) MCTO – Preparation or PICO;
- (vi) MCTO – Decision Making;
- (vii) MCTO - - Tactics or STICO;
- (viii) Incident Command System;
- (ix) Fire Investigation.

(D) A task book ~~shall~~ **must** be completed before certification is awarded.

(l) Wildland Interface Fire Fighter, Wildland Interface Engine Boss/Officer, Wildland Strike Team leader, Wildland Division/Group Supervisor (DPSST Wildland Interface Certification Guide, Revised September, 2003).

(A) This is an Oregon standard that includes NWCG standard that includes Wildland Fire Fighter Type I and Type II.

(B) An individual applying for Wildland Interface Fire Fighter must document training in all of the following areas at the time of application:

(i) S-130 Fire Fighter Training (includes L-180);

(ii) S-190 Wildland Fire Behavior;

(iii) S-131 Firefighter Type I;

(iv) I-100 Introduction to ICS; and

(v) Completion of the NWCG FFT1 Task Book;

(m) Wildland Interface Engine Boss.

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Engine Boss must be certified as Wildland Interface Fire Fighter prior to applying for Wildland Interface Engine Boss and must document training in all of the following areas at the time of application:

(i) 1-200 Basic Incident Command;

(ii) S-230 or S-231 Crew Boss (Single Resource);

(iii) S-290 Intermediate Wildland Fire Behavior; and

(iv) Completion of the ~~Task Book for NWCG Single Resource Boss Engine NWCG Interface Engine Task Book.~~

(n) Wildland Interface Crew Boss

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Crew Boss must be certified as Wild Interface Fire Fighter prior to applying for Wildland Interface Crew Boss and must document training in all of the following areas at the time of application:

(i) I-200 Basic Incident Command;

(ii) S-230 Crew Boss (Single Resource);

(iii) S-290 Intermediate Wildland Fire Behavior; and

(iv) Completion of the ~~Task Book for NWCG Single Resource Boss Crew NWCG Interface Engine Task Book.~~

(o) Wildland Interface Strike Team/Leader Engine.

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Strike Team/Leader Engine must be certified as Wildland Interface Engine Boss prior to applying for Wildland Interface Strike Team/Leader Engine and must document training in all of the following areas at the time of application:

~~(i) Wildland Interface Strike Team/Leader Engine;~~

(i) ~~(ii)~~ S-215 Fire Operations in the WUI;

~~(ii)-(iii) S-330 Task Force/Strike Team Leader;~~

~~(iii)-(iv) I-300 Intermediate ICS; and~~

~~(iv)-(v) Completion of the Task Book for NWCG Strike Team Leader Engine. NWCG Wildland Interface Strike Team/Leader Engine Task Book.~~

(p) Wildland Interface Strike Team/Task Force Leader Crew.

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Strike Team/Leader Crew must be certified as Wildland Interface Crew Boss prior to applying for Wildland Interface Strike Team/Leader Crew and must document training in all of the following areas at the time of application:

~~(i) Wildland Interface Strike Team/Leader Crew;~~

(i) ~~(ii)~~ S-215 Fire Operations in the WUI;

~~(ii)-(iii) S-330 Task Force/Strike Team Leader;~~

~~(iii)-(iv) I-300 Intermediate ICS; and~~

~~(iv)-(v) Completion of the Task Book for NWCG Strike Team Leader Crew. NWCG Wildland Interface Strike Team/Leader Crew Task Book.~~

(q) Wildland Interface **Structural Group Supervisor.**

(A) This is an **Oregon NWCG standard.**

(B) An individual applying for Wildland Interface **Structural Group Supervisor must be certified as Wildland Interface Strike Team/Leader Engine prior to applying for**

certification as Wildland ~~Structural~~ Interface/Group Supervisor and must document training in all of the following areas at the time of application:

(i) S-390 Introduction to Wildland Fire Behavior Calculations;

(ii) S-339 Division/Group Supervisor; and

(iii) Completion of the ~~Task Book for NWCG Group Supervisor. Wildland Interface Group Supervisor Task Book.~~

(r) Wildland Interface Division/Group Supervisor.

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Division/Group Supervisor must be certified as Wildland Interface Strike Team/Leader Engine and a Wildland Interface Strike Team Leader Crew prior to applying for certification as Wildland Interface Division/Group Supervisor and must document training in all of the following areas at the time of application:

(i) S-390 Introduction to Wildland Fire Behavior Calculations;

(ii) S-339 Division/Group Supervisor; and

(iii) Completion of the ~~Task Book for NWCG Division/Group Supervisor Wildland Interface Division/Group Supervisor Task Book.~~

~~(m)~~ **(s)** Maritime Fire Service Operator Standards Professional Qualifications (October, 1999) and completion of an approved task book.

(A) Historical Recognition:

(i) The application shall be submitted with the Fire Chief or designee's signature attesting to the skill level and training of the applicant.

(ii) The application must be submitted to the Department no later than October 1, 2004, to receive certification for Maritime Fire Service Operator without having to complete the task book.

(iii) All applications received after October 1, 2004, will need to show completion of the approved task book.

~~(n)~~ **(t)** Certification guide for Wildland Fire Investigator (August, 2005).

~~(o)~~ **(r)** The provisions of the NFPA Standard No. 1006, Edition of 2000, entitled, "Professional Qualifications for Rescue Technician" are adopted subject to the following modifications:

(A) The Authority Having Jurisdiction shall mean the local or regional fire service agency.

(B) Historical Recognition:

(i) Application shall be submitted with the Fire Chief or designee's signature attesting to the skill level and training of the applicant.

(ii) The application to use historical recognition shall be submitted to DPSST on or before March 31, 2003.

(C) Instructors:

(i) Curriculum must be certified by DPSST to meet NFPA 1006.

(ii) An instructor delivering training under a fire service agency's accreditation agreement must be a certified technician in that specialty rescue area.

(D) Task Books:

(i) A task book must be completed for each of the six specialty rescue areas applied for.

(ii) Only a certified technician in that specialty rescue area can sign off the task book.

(iii) The requirements in Chapters 2 and 3 need to be met only one time for all six specialty rescue areas.

~~(p)~~ (s) Urban Search and Rescue.

(A) This is a standard that is Oregon-specific.

(B) The following eleven (11) specialty Urban Search and Rescue (USAR) certifications are adopted:

(i) Task Force Leader;

(ii) Safety Officer;

(iii) Logistics Manager;

(iv) Rescue Team Manager;

(v) Rescue Squad Officer;

(vi) Rescue Technician;

(vii) Medical Technician;

(viii) Rigging Technician;

(ix) Search Team Manager;

(x) Search Squad Officer;

(xi) Search Technician.

(C) An applicant applying for any USAR certification(s) must complete the appropriate application(s) attesting to completion of the required training.

~~(q)~~ **(t)** The provisions of the NFPA Standard 472, 2008 Edition, entitled “Standard for Hazardous Materials and Weapons of Mass Destruction” are adopted subject to the following definitions and modifications hereinafter stated:

(A) Hazardous Materials Technician: All applicants for certification must first certify as an Operations Level Responder and complete a Department approved Task Book, signed off by the Agency Head or Training Officer, before an applicant can qualify for certification.

(B) Hazardous Materials Safety Officer: All applicants for certification must first certify as a Hazardous Materials Technician and complete a Department approved Task Book, signed off by the Agency Head or Training Officer, before an applicant can qualify for certification. This certification level includes, but is not limited to, the following course work:

(i) Analyzing the Incident;

(ii) Planning the Response;

(iii) Implementing the Planned Response;

(iv) Evaluating the Progress.

(C) Incident Commander: The level of certification formerly known as “On-Scene Incident Commander” is now known as “Incident Commander.” The Incident Commander correlates directly with NFPA 472. All applicants for certification must first certify as an Operations Level Responder.

(D) Operations Level Responder: The level of certification formerly known as “First Responder” is now known as “Operations Level Responder.” The Operations Level Responder correlates directly with NFPA 472. Successful completion of skills sheets or task performance evaluations (TPE) must be met prior to certification as an Operations Level Responder.

~~(r)~~ **(u)** Specialty Levels of Certification. All applicants for specialty levels of certification must first certify as a Hazardous Materials Technician.

(A) The following four (4) specialty certifications are adopted:

(i) Cargo Tank Specialty;

(ii) Intermodal Tank Specialty;

(iii) Marine Tank Vessel Specialty;

(iv) Tank Car Specialty;

(B) Successful completion of task performance evaluations (TPE) must be met prior to obtaining a specialty level of certification.

(3) Task performance evaluations, where prescribed, shall be required prior to certification. Such examinations shall be conducted in the following manner:

(a) Task performance competency shall be evaluated by three people nominated by the employing fire service agency's Chief Officer for approval by the Department or its designated representative.

(b) The employing fire service agency's equipment and operational procedures shall be used in accomplishing the task performance to be tested.

(c) Specific minimum testing procedures, as provided by the Department, shall be used for administration of the evaluation.

(d) The training officer for an accredited fire service agency training program must notify the Department or its designated representative prior to performing a Task Performance Evaluation.

(e) At the request of the fire chief, a representative of the Department will be designated to monitor the task performance evaluation for personnel from a fire service agency whose training program is not accredited.

[Publications: Publications referenced are available from the agency.]

Bill Lafferty indicated that on page 4 (A) strike is, an, Oregon, and that to read:

(A) This ~~is an Oregon standard that includes~~ NWCG standard that includes Wildland Fire Fighter Type I and Type II.

ACTION ITEM I: Determine whether to recommend filing the proposed language for OAR 259-009-0062 with the Secretary of State.

ACTION ITEM II: Determine whether to recommend filing the proposed language for OAR 259-009-0062 with the Secretary of State as permanent rule if no comments are received.

ACTION ITEM III: Determine whether there is a significant fiscal impact on small businesses (See House Bill 3238). *No fiscal impact by consensus.*

Bill Lafferty moved to recommend to the Board to file the proposed language for OAR 259-009-0062, as submitted with changes from Bill Lafferty with the additional amendment made as follows: (A) This ~~is an Oregon standard that includes~~ NWCG standard that includes Wildland Fire Fighter Type I and Type II, with the Secretary of State as proposed rule and as permanent rule if no comments are received. Randy Simpson seconded the motion. The motion carried in a unanimous vote.

5. Proposed Administrative Rules – NFPA Fire Officer OAR 259-009-0062(2)(1)

Julie Olsen-Fink discussed that the BPSST/DPSST Fire Officer Task Force originally met on November 30, 2009 and concluded their work on December 18, 2009. The Task Force was assigned the duty of reviewing the currently adopted 2003 Edition of National Fire Protection Association (NFPA) 1021 and determine if adopting the 2009 Edition would benefit the Oregon fire service. The Task Force determined the value of remaining consistent and current with NFPA standards at the national level.

TASK FORCE MEMBERS

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| Doug Koellermeier | Bend Fire Department (Chair) |
| Art Hatch | Sunriver Service District Fire Department (Vice Chair) |
| Bill Klein | Chemeketa Community College |
| Dan Petersen | Medford Fire Department |
| Ed Lindsey | Portland Community College |
| Jay Alley | Stayton Fire District |
| Terry Riley | Willamette Valley Fire Rescue Authority |
| LaRon Tolley | Western Oregon University |
| Dean Martin | Coos Bay Fire Department |
| Terry Ney | Sheridan Fire District |

DPSST STAFF

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| Eriks Gabliks | Acting Director |
| Julie Olsen-Fink | Fire Certification Supervisor |

SUMMARY OF CHANGES: The Task Force recommended changes be made to the “General Requirements” section of NFPA Fire Officer I. It is the opinion of the task force that college courses, alternative curriculum and/or training remains necessary in the development of NFPA Fire Officers in all levels of certification. The following is a brief summary of the changes for NFPA Fire Officer I.

| | |
|---|---|
| <p>NFPA Fire Officer I – Edition 2003 Currently requires:</p> <p>NFPA Requirements:</p> <ul style="list-style-type: none"> • NFPA Fire Fighter II • NFPA Fire Instructor I • Human Resources • Community & Government Relations • Administration • Inspection & Investigation • Emergency Service Delivery • Health & Safety <p><i>*No changes with the NFPA Requirements</i></p> <p><u>General Requirements: (Not Required by NFPA)</u></p> <ul style="list-style-type: none"> • Math • Science (Chemistry or Fire Science based) • Written Communication • Technical Writing | <p>NFPA Fire Officer I – Edition 2009 Currently requires:</p> <p>NFPA Requirements:</p> <ul style="list-style-type: none"> • NFPA Fire Fighter II • NFPA Fire Instructor I • Human Resources • Community & Government Relations • Administration • Inspection & Investigation • Emergency Service Delivery • Health & Safety <p><i>*No changes with the NFPA Requirements</i></p> <p><u>General Requirements: (Not Required by NFPA)</u></p> <ul style="list-style-type: none"> • Communications <ul style="list-style-type: none"> ▪ Written Communication and ▪ Public Speaking ▪ Interpersonal Communications and/or ▪ Complete approved national curriculum (example: MFRI, IFSTA, Jones and Barlett etc.) • Fire Behavior and Combustion (This would replace the science requirements) • Math (Math 50 or greater, or if the candidate is certified as a NFPA Pumper Operator this will meet the minimum math requirements.) |
|---|---|

There were no changes made in the course requirements to NFPA Fire Officer II, III or IV. (Refer to the application for reference.)

- NFPA Fire Officer II has one college course requirement, Psychology or Sociology.
- NFPA Fire Officer III and IV remain Fire Science Administration (FSA) based courses available through Western Oregon University and Eastern Oregon University.

The Task Force is recommending the *Fire Protection Administrator* level of certification be removed from the NFPA Fire Officer III standard and the *Fire Protection Executive* also be removed from NFPA Fire Officer IV. These are **not** NFPA levels of certification. The Task Force believes these levels of certification would be better addressed outside of the NFPA Fire Officer Standard.

The Task Force recommends the Oregon Administrative Rules (OAR) be updated to reflect the changes in requirements.

For ease of review, only the relevant portion of the revised text is included. The following language includes recommended additions (**bold and underlined text**) and deletions (~~strikethrough text~~):

Fire Service Personnel Certification

(i) The provisions of the NFPA Standard 1021, 2003 **2009** Edition, entitled "Standards for Fire Officer Professional Qualifications," are adopted subject to the following definitions and modifications:

(A) 4.1 General. For certification as Fire Officer I, the candidate must be certified at NFPA 1001 Fire Fighter II, and NFPA 1041 Fire Instructor I, as defined by the Department, and meet the job performance requirements defined in Sections ~~4.2~~ **4.1** through 4.7 of this Standard.

(i) Amend section 4.1.2 General Prerequisite Skills to include college courses or Department approved equivalent courses in the following areas of study: ~~Written Communications, Advanced Speech, Technical Writing/Business Writing, Math, and Physics or Chemistry~~ **Fire Behavior and Combustion. Refer to the suggested course guide for detailed course, curriculum and training information.**

(ii) All applicants for certification must complete either a Task Performance Evaluation or a Department approved Task Book for; NFPA Fire Officer I and signed off by the Agency Head or Training Officer before an applicant can qualify for certification.

(B) 5.1 General. For certification as NFPA Fire Officer II, the candidate must be certified as NFPA Fire Officer I, as defined by the Department, and meet the job performance requirements defined in Section ~~5.2~~ **5.1** through 5.7 of the Standard.

(i) Amend section 5.1.2 General Prerequisite Skills to include college courses or Department approved equivalent courses in the following areas of study: Psychology or Sociology.

(ii) Amend section 5.3 Community and Government Relations to include State and Local Government or Department approved equivalent courses.

(iii) All applicants for certification must complete either a Task Performance Evaluation or a Department approved Task Book for NFPA Fire Officer II, and signed off by the Agency Head or Training Officer, before an applicant can qualify for certification.

(C) 6.1 General. For certification as NFPA Fire Officer III, the candidate must be certified as a NFPA Fire Officer II, NFPA, NFPA 1041 Fire Instructor II, as defined by the Department, and meet the job performance requirements defined in Sections ~~6.2~~ **6.1** through 6.7 of the Standard. ~~Amend section 6.1 to allow individuals certified as NFPA 1033 Fire Investigator, NFPA 1035 Public Fire and Life Safety Educator, or NFPA 1031 Fire Inspector III to apply for certification without attaining NFPA 1001 Fire Fighter II.~~

(i) All applicants for certification must complete a Department approved Task Book for NFPA Fire Officer III, and signed off by the Agency Head or Training Officer, before an applicant can qualify for certification.

(D) 7.1 General. For certification as NFPA Fire Officer IV the candidate must be certified as NFPA Fire Officer III, as defined by the Department, and meet the job performance requirements in Sections 7.2 7.1 through 7.7 of the Standard.

(i) All applicants for certification must complete a Department approved Task Book for NFPA Fire Officer IV, and signed off by the Agency Head or Training Officer, before an applicant can qualify for certification.

~~(i) 5-1.2 General Requisite Skill: the ability to effectively apply prerequisite knowledge.~~

~~(ii) 5-1.3 Existing Curricula — Advanced Institute Classes which would meet Fire Protection Executive Course Requirements: Master Planning; Advanced Legal Aspects; Advanced Fiscal Management; Local Government and Community Politics; Organizational Psychology; Management Information Systems; Labor Management Relations.~~

Jim Whelan suggested to not exclude Physics or Chemistry to read:

(i) Amend section 4.1.2 General Prerequisite Skills to include college courses or Department approved equivalent courses in the following areas of study: ~~Written Communications, Advanced Speech, Technical Writing/Business Writing,~~ Math, and **Physics or Chemistry, Fire Behavior and Combustion. Refer to the suggested course guide for detailed course, curriculum and training information.**

ACTION ITEM I: Determine whether to recommend filing the proposed language for OAR 259-009-0062 with the Secretary of State.

ACTION ITEM II: Determine whether to recommend filing the proposed language for OAR 259-009-0062 with the Secretary of State as permanent rule if no comments are received.

ACTION ITEM III: Determine whether there is a significant fiscal impact on small businesses (See House Bill 3238). *No fiscal impact by consensus.*

*Randy Simpson moved to recommend to the Board to file the proposed language for OAR 259-009-0062, with the amended correction made that on page 3 (i) to not exclude Physics or Chemistry to read: (i) Amend section 4.1.2 General Prerequisite Skills to include college courses or Department approved equivalent courses in the following areas of study: ~~Written Communications, Advanced Speech, Technical Writing/Business Writing,~~ Math, and **Physics or Chemistry, Fire Behavior and Combustion. Refer to the suggested course guide for detailed course, curriculum and training information, with the Secretary of State as proposed rule and as permanent rule if no comments are received. Mark Prince seconded the motion. The motion carried in a unanimous vote.***

6. Fallen Fire Fighters Memorial Wall Nomination

Julie Olsen-Fink reviewed the nomination for the Fallen Fire Fighters Memorial Wall:

On the evening of August 7, 1969 the Coquille Volunteer Fire Department was involved in a hose training activity at Station No.1. During the training exercise, Captain Marshall

indicated he was suffering from chest pain which was progressing in its severity. He was transported via the ambulance to the closest hospital 25 miles away. Leland Roger Marshall died en-route to the hospital.

The death meets the criteria for the Oregon Fallen Fire Fighters Memorial. This information is very limited as to what DPSST has access to.

Staff recommends the FPC determines whether Captain Leland Roger Marshall's name will be included on the Fallen Fire Fighters Memorial Wall, and since this is a historical perspective, to be included in the September 16, 2010 ceremony.

Rod Smith made a motion to put onto the memorial wall the name submitted for inclusion from DPSST staff. Mark Prince seconded the motion. The motion carried in a unanimous vote.

7. Round Table

Eriks Gabliks discussed DPSST updates:

- The former director is no longer with this agency. DPSST continues to fully participate in the ongoing investigations which have identified this incident as isolated.
- Legislatively there are no bills that are a concern to the fire organization in the current legislative process.
- The budget issue we are working on collectively with the Fire Marshal's Office and our fire service partners is protection of the Fire Insurance Premium Tax that is a dedicated fund.
- Fire Training Program trained over 11,000 firefighters across the state and finished up the year in Portland with the Skid Truck Program. They trained 3,000 more people than any year in the past. They are fully staffed and fully funded and doing a good job.
- Fire Certification equally had another good year with 4,200 certifications issued.
- Bonnie Narvaez retired after 25 years of service to the State of Oregon.
- Certification has a number of task forces coming up that are slated for 2010: Rescue Technician, Airport Firefighter, Public Education Specialist, Juvenile Firesetter Intervention Specialist, Maritime Fire Service Operator, and Fire Ground Leader.
- DPSST will be hosting:
 - Winter Fire School the weekend of 2/27/10 and 2/28/10. More than 300 people will be attending.
 - The National Near Miss Reporting System class this spring.
 - A diversity hiring in the fire service class.
 - Two 4 hour awareness classes in the Train-the-Trainer class so people can learn how the system works.
- Working with OFIA on two projects:
 - Combining their conference with our annual District Liaison Officer (DLO) Conference. Conference registration and lodging will be picked up by DPSST for the DLO's.
 - Working with OFIA on their strategic planning process.
- Kelly Bach congratulated Eriks Gabliks on his new position as DPSST Director.

- Honor Guard – the memorial belongs to the Oregon Fire Service and DPSST’s staff maintains it. The fund that was initially created is almost gone. The state has been giving the Honor Guard a \$2,500 grant each year to help cover costs such as wall engravings, flowers, expenses to have the ceremony. The state might not be able to sustain giving this grant every year. DPSST has approached the Chiefs Association’s Fire Chiefs Foundation which is a 501(c)(3). There would be a benefit to have a *standalone* Fallen Fire Fighter Memorial committee that raises money either through foundations, grants, solicitations and get the money to not maintain it, but to add names as necessary and also to maintain that program.
- Jim Whelan announced that this is Bill Klein’s last meeting. Thank you for your time spent. John Mack will be replacing Bill representing Community College Fire Programs.

The next FPC meeting is scheduled for 5/21/10.

Meeting adjourned at 10:40 a.m.