

## 76th legislative session winds down

**O**n June 29, 2011, as the 30 Senate members and 60 House members race to Sine Die, or close of session, 3,020 bills had been introduced; 938 passed by the House, 894 passed by the Senate, and 515 signed by the Governor. The Office of State Fire Marshal (OSFM) monitored 40 House bills and 14 Senate bills which may at some level affect the OSFM and to some extent, the Oregon fire service. Highlights:

**HB 2078:** Signed by the Governor on May 19. House Bill 2078 was crafted in collaboration with stakeholders with interests in fire service and building codes. Free of any fiscal impact, this streamlines ORS chapter 479 by deleting a number of statutes that are either outdated, redundant, or are in conflict with the state's current adopted fire and building code. Minimum requirements for building construction and maintenance are currently, and will remain in the Oregon's adopted building and fire codes. The bill passed the House 59-0 and the Senate 25-0.

**HB 2726:** Last action June 30. Senate president signed. This bill was one of six bills opening debate on Oregon's Indoor Clean Air Act. Wrought with emotional debate between smoking and health advocates, the new legislation allows the state's 20 hookah lounges and retail smoke shops to continue operation, but limits growth. The state fire marshal changes did not dilute these issues, but simply corrected misplaced authority to the state fire marshal in ORS 433. The Oregon Building Codes, the Oregon Health Authority, and the OSFM agreed eliminating the reference to the assistant to the State Fire Marshal streamlines statute, removes duplication of responsibilities, as well as potential confusion for the regulated businesses. The bill initially passed the House 35-23, the Senate 18-11, then the House again by re-referral 31-29.

**HB 3672:** Last Action June 24. Third reading. Carried by Burdick, Morse. Passed. A large tax credit bill, HB 3672 replaced HB 2525 & SB 686, which were duplicate bills extending sunset of tax credit for insurers transacting fire insurance, among others, and ultimately affect the Fire Insurance Premium Tax (FIPT), which comprises over 50% of OSFM funding. Among a wide range of supporters

for the bill were the insurance industry, who highlighted services funded by FIPT at the OSFM, Department of Public Safety Standards and Training, and State Police Arson, all of which operate with FIPT funding. The bill extended the FIPT tax credit under ORS 317.122 through January 1, 2018. The bill passed the House 57-2 and the Senate 26-1.

**SB 69:** Last action on May 3. Motion to re-refer to Judiciary carried on voice vote. The bill did not pass, but made an impressive impact raising awareness among legislators regarding illegal fireworks. The bill's failure was described as having 'too many moving parts.' Portions are likely to be carried forward by individual legislators, or resurrected in bills during future sessions. The bill was created through collaboration with citizens, the fire service, law enforcement, and the fireworks industry. SB 69 had revised most of ORS 480 making changes favorable to law enforcement clarifying statute for retail display, agricultural fireworks applicants, and the fireworks industry.

**SB 5537:** Last action June 30. Third reading. Carried by G. Smith. Passed. The budget bill for Oregon State Police includes the OSFM budget. As with most budget bills, this bill featured dramatic cuts and loss of positions, including four positions in the OSFM's Community Right to Know (CR2K) unit. Though all programs will continue under the proposed bill, there is a total reduction of 72 positions (including the four OSFM positions). Still, it will not be business as usual. The fire service and industry appealed to legislators to maintain the Planning and Training Assistance Program supporting the state's emergency preparedness of local emergency planning committees, and CR2K. Passed the Senate 26-2, House 56-2.

Oregon's representative form of government is governed by rules, laws, and procedures. Although the process is long, complex, and dominated by committees, all laws begin as someone's idea.

For more on bills monitored by the Office of State Fire Marshal, visit the [OSFM Legislative Information webpage](#) and click the 2011 Legislative Session link. You may also contact Senior Policy Analyst Donna Disch-Curtis at [Donna.Disch@state.or.us](mailto:Donna.Disch@state.or.us) or 503-934-8275.