

STAFF REPORT

Agenda Item No.	C
Work Plan:	Legislative
Topic:	Annual Topic: Legislative Session Review
Presentation Title:	2024 Short Session Overview
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SUMMARY

The purpose of this agenda item is to provide a brief overview of the 2024 Legislative session. The following summary is not all-inclusive of legislative matters affecting Oregonians or state agencies but is intended to be a succinct view of bills the agency tracked through the session and are most impactful to Oregon Department of Forestry processes.

BACKGROUND AND ANALYSIS

The agency prepared for legislative bill review, analysis, and testimony preparation by designating bill managers for each division and program. An internal training and coordination session was held in early January. Our agency utilizes the BillTracker software program, provided by the Department of Administrative Services for all state agencies to track bills and conduct bill analysis.

The agency reviewed and prioritized the 289 bills throughout the Session and closely tracked 100 bills. Engaging in weekly meetings with natural resource agencies and all executive branch agencies for information gathering and coordination on bills that affected multiple agencies were essential for staying connected during the fast pace of the session.

Following last year's session that was nearly derailed by an extended walkout, this year's 2024 Short Session was marked by cooperation and bipartisanship. Two themes dominated the Session; Housing and Measure 110 reform. Governor Kotek's housing proposals were a part of a trio of bills that allocated \$376 Million for water infrastructure projects, loans for moderate-income housing and other housing resources. The other major theme of this Session was the contemplated changes to Measure 110, which decriminalized drug possession. Legislators voted to make minor drug possession a misdemeanor crime, ending the state's experiment with drug decriminalization.

From the Department's perspective, there were three major policy concepts introduced to reshape Wildfire Funding in Oregon. Of these three, only HB 4133, which was the result of Senator Steiner's workgroup, moved through the Session but was ultimately dropped in the final days of the Session.

Attachment one summarizes the agency's priority bills that were passed or pending at the end of the Session and their status. In addition, the Legislative Policy and Research office (LPRO) updated its website to allow a bill search by topics of interest, those with public hearings, and the outcome of the bill. The Session summaries can be found at the following link, <https://www.oregonlegislature.gov/lpro/Pages/summary-of-legislation.aspx>.

The key themes from the 2024 legislative session were tracked by the agency and included with this report.

Wildfire Funding:

House Bill 4133 was Senator Steiner’s funding proposal began shortly after the 2023 Legislative Session where the Landowner Offset from SB 762 was not renewed. Seeing the complex wildfire funding system that has produced inequities for landowners, Senator Steiner convened a diverse group with the goal of reducing Landowner Rates and “decomplexifying” the Wildfire funding structure. This bill saw continual adjustments that resulted in the lowering of landowner rates through shifting Salem’s operating costs away from local rate payers.

One of the changes proposed through this bill was taking \$3.5 million from the Oregon Forest Land Protection Fund and moving it to ODF administration. Unfortunately, the OFLPPF is a trust, and Legislative Counsel attorneys flagged that moving that money from a trust to administration is impermissible. Too late in the process to completely reshuffle the intricate funding mechanism that was largely based on that \$3.5 million transfer, the bill died with one day left in the 2024 Session.

Though ODF continually pushed to fund at least \$7.5 million for the remaining Landowner Offset should HB 4133 not succeed, the fact that there wasn’t even \$3.5 million available to save HB 4133 meant that there wasn’t \$7.5 million available for the Offset.

However, there is a “Budget Note” in HB 5701 stating a call for group work surrounding a broader wildfire funding fix to occur. This Budget Note promises a work group will be established to look at the broader Wildfire funding system; including local fire funding, suppression and resilient forests. This workgroup is tasked with workgroup identifying options for sustainably funding wildfire mitigation, suppression and mobilizations, land classification, and managing the intersection between forest land protection districts and structural fire protection districts. At minimum, the workgroup shall include a wide range of stakeholders representing landowners, local fire agencies, Oregon Tribes, conservation groups, agency partners, and impacted industries. Additionally, the workgroup shall regularly engage with the Wildfire Programs Advisory Council.

The workgroup has been tasked with identifying strategies that will be ready for the 2025 Legislative Session though work will continue throughout 2025 to have additional legislative concepts ready for the 2026 Legislative Session. The workgroup will begin its work in June of 2024.

Senate Bill 1593 was Senator Golden’s bill to replace the Harvest Tax with a Severance Tax. The bill was paired down to a simple study on the potential revenues generated by a Severance Tax. The bill received one public hearing but did not move forward.

House Bill 4075 and House Joint Resolution 201 were Representative Evans bills that combined would send a referral to the voters of Oregon to pass a property tax that generates money to be used primarily to pay for wildfire and set up the terms of the Task Force that would spend the money generated should the voters approve of the original property tax. These bills received a public hearing but did not move forward.

Prescribed Fire:

House Bill 4016 is an omnibus bill that makes changes to programs initially started by SB 762 in 2021. These changes include extending the deadline for the Fire Hardening Grant Program and a section that fixes the problems related to Prescribed Fire Liability Fund that were generated in haste in

SB 80 (2023). These changes include adding new criteria that the claimant was not willful, malicious, or negligent in the origin or spread of the fire; and that the claim is for economic and property damage or, if the claimant is the State Forester or a forest protective association or agency, for actual costs incurred to control or extinguish the fire if the costs would be recoverable under existing fire abatement laws. The bill also limits the amount paid from the Prescribed Fire Claims Fund to a maximum of \$1 million per claim for losses arising from a prescribed fire or cultural burn.

Retirement Age:

House Bill 4045 Lowers the normal retirement age from 60 to 55 years for Police and Fire Oregon Public Service Retirement Plan (OPSRP) members who retire from service and whose last 60 months of retirement credit preceding is classified as retirement credit for service as a police officer or firefighter.

Recreational Immunity:

Senate Bill 1576 is an omnibus bill that has several provisions, one of which were important statutory changes that revolve around recreational immunity. SB 1576 has provisions to specify that “recreation” includes also walking, biking and running and also expands immunity to improved rights of way like trails and bridges. This is a first step in shoring up potential cracks in “recreational immunity” that were exposed by a recent court case and could lead to future litigation in State Forests. A workgroup will form after the Session to look at more comprehensive legislation.

ATTACHMENT

- (1) 2024 Legislative Session – ODF End of Session Priority Bill Status Report (SEE CORRESPONDING PDF ATTACHMENT)



Custom Report

Report Date: May 1, 2024

Bill Number	Last Action	Status
HB 4016	03/28/24 - Chapter 26, (2024 Laws): Effective date June 6, 2024. Relating to natural resources; prescribing an effective date. Makes certain changes to the Prescribed Fire Liability Pilot Program.	Passed
HB 4045	04/18/24 - Chapter 101, (2024 Laws): Effective date January 1, 2025. Relating to adjustments in classifications under the Public Employees Retirement System. Provides that district attorneys, and forensic scientists and evidence technicians employed by the Department of State Police, qualify as police officers under the Public Employees Retirement System.	Passed
HB 4122	04/10/24 - Chapter 85, (2024 Laws): Effective date June 6, 2024. Relating to fingerprint retention; prescribing an effective date. Directs the Department of State Police to establish a fingerprint retention system for participation in the Federal Bureau of Investigation's Rap Back system.	Passed
SB 1526	03/28/24 - Effective date, June 6, 2024. Relating to changes to certain Oregon tax laws; prescribing an effective date. Makes technical, policy and administrative changes to certain Oregon tax laws.	Passed
SB 1576	03/28/24 - Effective date, March 27, 2024. Relating to civil matters; declaring an emergency. Modifies provisions regarding disclosure of certain materials relating to consumer data investigations by the Attorney General.	Passed
SB 5701	04/18/24 - Effective date, April 17, 2024. Relating to state financial administration; declaring an emergency. Appropriates moneys from the General Fund to specified state agencies for biennial expenses.	Passed