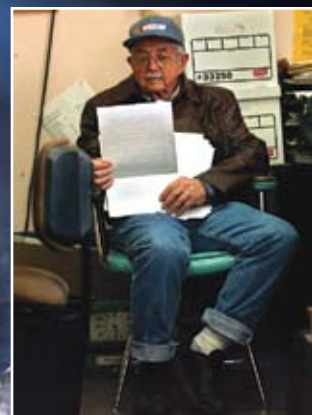


The COMMUNIQUE

MARCH/APRIL 2009

A Publication of the Oregon Fire District Directors Association



Remembering
DEE WESCOT

Simpson Sworn in
as Fire Marshall

OFSOA Spring Workshop April 23-24th in Brooks, Oregon see page 9

The COMMUNIQUE

A publication of the Oregon Fire
District Directors Association.

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MISSION STATEMENT: To serve and strengthen
through the provision and coordination of timely
information, education, and legislation.



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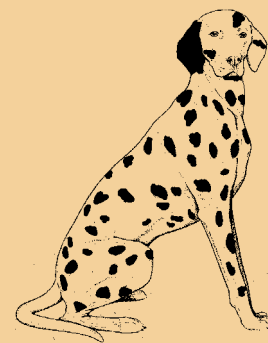
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On Being an Effective Chair

By Connie L. Barton

Throughout our years of board service, each of us has had the opportunity to watch different chairpersons/presidents in action. The primary duty of the chair or president is to preside over and run an effective meeting, but there are many other issues involved. For example, what happens if the

he or she may be seen as exerting undue influence over the vote. In the case of a tie vote, the chairperson does cast the deciding vote. Traditionally this vote will retain the status quo.

According to "Robert's Rules of Order" if the Chair has strong feelings for or



OFDDA President Connie L. Barton

Remember: An effective chairperson is one who remains calm, objective and impartial at all times.

chairman has a strong personal opinion about something being discussed during the meeting?

The chairperson, who also usually is the highest-ranking person at the meeting, should remain strictly neutral, forgo participation in the debate, and often refrain from voting on motions; otherwise

against a particular issue, "The chairman sometimes calls a member to the chair and takes part in the debate. This should rarely be done, and nothing can justify it in a case where much feeling is shown and there is a liability to difficulty in preserving order. If the chairman has even the appearance of being a partisan, he loses

much of his ability to control those who are on the opposite side of the question. There is nothing to justify the unfortunate habit some chairmen have of constantly speaking on questions before the assembly, even interrupting the member who has the floor. One who expects to take an active part in debate should never accept the chair, or at least should not resume the chair, after having made his speech, until after the pending question is disposed of."

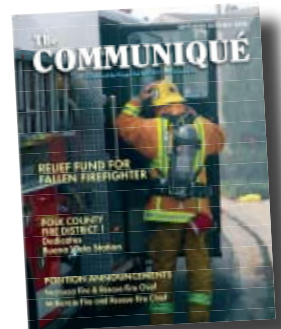
All speakers should be treated courteously, whether or not the chair agrees with the speaker's position, regardless of their ability to express themselves eloquently in a public forum environment.

Remember: An effective chairperson is one who remains calm, objective and impartial at all times. ♦



The Oregon Fire District Directors Association (OFDDA) was organized in 1950 to serve elected directors of fire districts of all sizes throughout Oregon.

The Communiqué is the official news magazine of the OFDDA. Complimentary subscriptions are provided to member districts and boards. Annual subscriptions may be purchased for \$3.





Simpson Sworn in as State Fire Marshal

Oregon State Fire Marshal Randy Simpson was officially sworn into office by Governor Ted Kulongoski on Friday, March 13 at Chemeketa Community College in Salem.

As Oregon's State Fire Marshal, Chief Simpson will direct the Office of State Fire Marshal and serve as the state fire chief. Agency services include the Oregon Community Right to Know and Protection Act and state hazardous materials spill response teams; fire code adoption and enforcement, fire investigation, fire data collection and analysis, and fire safety education and firesetter intervention; public information; regulation of the fireworks, explosives, propane, and non-retail gasoline dispensing industries; and mobilizing fire service resources for conflagration, structural collapse and other emergencies.

A division of Oregon State Police, the agency has 78 employees and a biennial

budget of \$20.5 million.

Chief Simpson has been with the Office of State Fire Marshal for four years. As chief deputy from 2005 to 2009, he directed the agency fire programs.

Chief Simpson started in the fire service in Ontario, Oregon in 1977 as a volunteer firefighter. In 1978 he became an EMT and started working relief shifts. He was hired as a full-time firefighter/EMT in 1980 and worked through the ranks becoming the department's Fire Inspector in 1987 and Deputy Fire Chief/Hazardous Materials Response Team Coordinator in 1992. He served as Ontario's Fire Chief from 1997 to 2005 before taking the position of Chief Deputy State Fire Marshal.

His education is through Treasure Valley Community College including coursework in fire protection, suppression, hazardous materials, management and supervision, and program development and delivery.

Chief Simpson is a member of the



Randy Simpson, State Fire Marshall

Oregon Fire Chiefs Association, Oregon Volunteer Firefighters Association, Board on Public Safety Standards and Training, Western Fire Chiefs Association, National Fire Protection Association, International Fire Chiefs Association, and the International Code Council. ♦

OFDDA/OFCA 2009 JOINT CONFERENCE

November 5-7, 2009

Under New Management
The Riverhouse Hotel
Bend, Oregon

Mark Your Calendars

The Money Crunch

By Dave Campbell, WHA Insurance- retired

I read the Federal Bailout of Financial Institutions and the 1,000+ page Stimulus Bill and I did not see the name of your Fire District listed anywhere to receive Federal money from these programs. Sorry!!! (Well, I did not actually read them just like most elected officials in Washington DC.)

So with budget time upon you, this is time to make sure your district has carefully evaluated your needs for the next fiscal year. Districts may have to make difficult choices about money expenditures. I urge you to include money for all board members to attend the Joint Conference this fall and for the Chief (s) to attend the Chiefs' Conference in the spring 2010. There will likely be valuable programs on maximizing your tax dollars and teaching board members and officers techniques for dealing with the ever increasing complexities of governing fire districts. Please plan to participate!

Standing Up For Fire & Life Safety

In the February 2009 "Gated Wye" newsletter from the office of Oregon State Fire Marshall, State Fire Marshal Randy Simpson wrote an article about a young woman who took a "personal stand" for fire and life safety. This woman helped with the arrest and conviction of Earth Liberation Front members who were found responsible for arson in 2001.

Chief Simpson also made a comment I believe is worth repeating here: "Taking a stand in small ways includes using every opportunity we have to teach friends, neighbors and even complete strangers about fire safety."

We should all encourage people to check their smoke detectors and to install carbon

monoxide detectors if they have natural gas or propane appliances. Residential sprinkler systems are being required in some areas for new homes being built and are also a valuable tool in saving lives and property. Your Fire Chief would welcome the chance to explain to the public the life saving benefits of sprinklers.

No, board members do not need to become an authority on the Oregon Fire Code. However, if you observe a condition that is an apparent hazard you should contact your Fire Chief and ask for the district personnel to follow up on the issue. If a constituent asks you about Fire Code issues or other technical information, please refer them to your Fire Chief.

What Happened to Conscripted Firefighters?

A long time ago in a State we will call Oregon, fire personnel could literally take people "off the street" to fight a fire. In today's environment that action is a recipe for disaster. NFPA and OR-OSHA rules regarding training and Personal Protective Equipment (PPE) effectively mandate we no longer engage in this practice.

Even using someone who is not currently an active firefighter in a suppression capacity is probably not a good idea as they may not have suitable personal protective equipment (PPE) and knowledge of current fire ground practices. Their physical fitness and/or medical conditions may no longer be sufficient for the tasks. Additionally, the person may not be on your district's Workers Compensation roster and injury could result in declination of insurance coverage.

Mutual Aid is a much preferred option for gaining additional personnel that

might be needed at an emergency event as they would come with their own training, equipment etc. We encourage board members to understand your personnel and equipment going to help other agencies is an important factor with other agencies when the time comes your district needs help. ♦



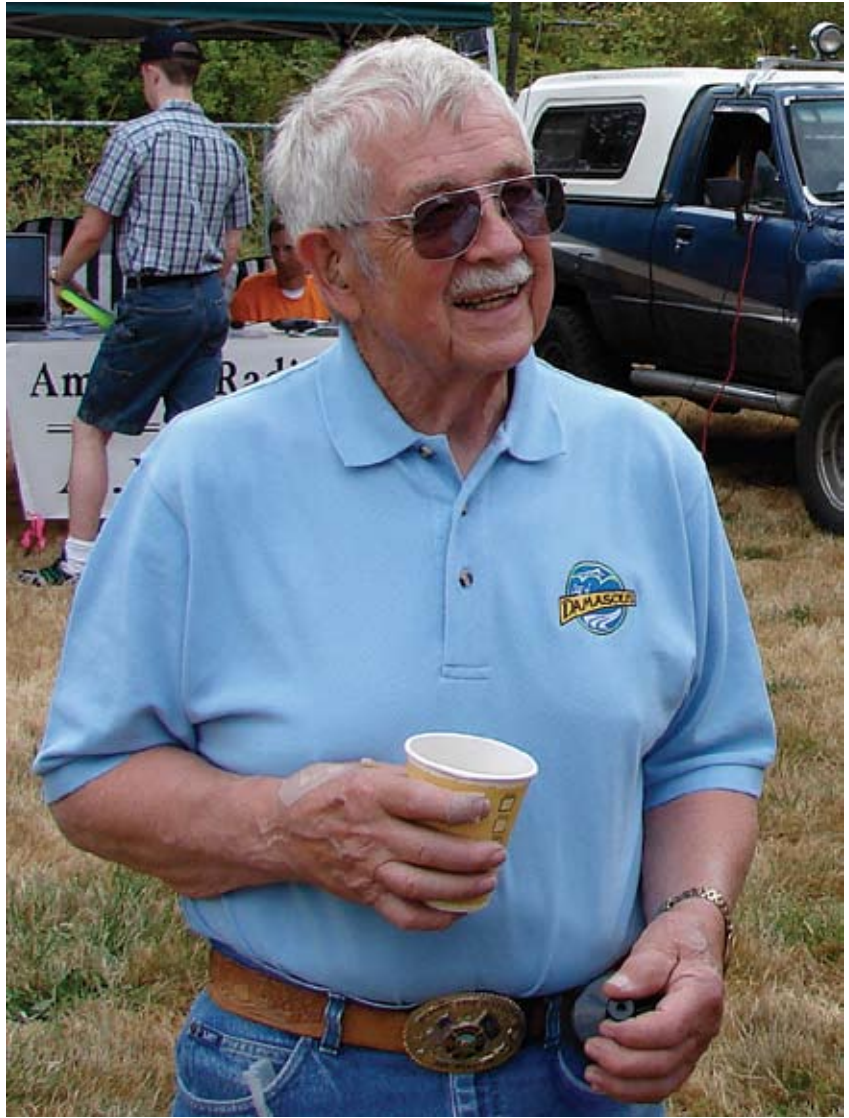
**MEMBERSHIP
INFORMATION CAN
BE FOUND AT
www.ofdda.com**





Remembering Dee Wescott

By Larry A. Long



Dee Elliot Wescott was the epitome of a true volunteer, and a devoted public servant.

On January 29th, 2009, the fire service lost a true icon, by every definition of the word. This loss is felt not only by the fire service, but by the public service community as a whole. Dee Elliot Wescott was the epitome of a true volunteer, and a devoted public servant.

It's hard to say what he'll be most remembered for. It will depend on who you ask, I suppose.

If you ask a car enthusiast, he might tell you he'll be most remembered for his contributions to the hot rod and body restyling industry.

If you ask a politician, he might say he'll be most remembered for his involvement with the formation of Oregon's newest city, the City of Damascus, and serving as its first Mayor.

If you ask a fire chief, he might say he'll be best remembered for his contributions toward the betterment of the Oregon fire service, especially the volunteer fire service.

If you ask a family member, they might say he'll be best remembered for his ability to somehow find time in his unbelievably busy life to be a husband and father.

Unarguably, the recipient of more years of volunteer service from this man than any other, and the community that will feel this loss the most, will be the Oregon fire service; and more specifically, the Boring Fire District.

In 1951, while Dee was still working with his cousin at their automotive repair business in Damascus, a large wildfire

burned through the valley between Barton and Boring. It burned for days and just about everyone with two legs and a shovel was called upon to help fight it. Little was known in those days about the strategy and tactics of fighting such a blaze, especially in this mixed residential and forest environment. The small, ill-equipped volunteer force could do little more than chase the fire's tail. That year, Dee Wescott joined the department as one of a handful of volunteer firefighters.

In those early days, the rag tag bunch of dedicated volunteers responded to their community's call with but a smattering of personal protective gear, a few pieces of broken down equipment, and no formal training to prepare them. Often known as

a joiner, but never a follower, Dee made a name for himself early by choosing to make off with a case of beer from the fire station one night rather than partake in the ritual 'hack paddle' initiation awaiting him at the local tavern. His first promotion, although informal, was to the position of recorder for the regular fire district meetings, primarily because most of the time he was the only one sober enough to perform the task.

Dee Wescott always had a propensity for recognizing when something needed doing. More often than not, rather than wait for someone else, he would roll up his sleeves and get the job done. Early on, he and his older brother, Jay, who was

continued on page 8

Fire Authority Questions

By Local Government Law Group, PC J. Kenneth Jones, Carolyn H. Connelly, Christy K. Monson



Over the last several months, OFDDA has received several inquiries regarding “Fire Authority.” In Oregon, there is no specific law that creates a fire authority. Fire districts are created through ORS Chapter 198 and operate as Oregon special districts, under the powers set forth in ORS Chapter 478, entitled “Rural Fire Protection Districts.”

In Oregon, a fire authority, while not specifically referenced or discussed, can be the product of ORS Chapter 190, “Government Cooperation.” However, you are familiar with the concept because most districts have intergovernmental agreements. Probably the most common are mutual aid agreements.

The chapter allows for units of local government to enter into written agreements among themselves, for the performance of any and all functions and activities that the various districts have the authority to perform. The agreements may provide for the performance of a function or activity by a consolidated department; by jointly providing for administrative officers; jointly constructing, owning, leasing, or operating equipment; or by one of the parties for any other party.

The chapter further allows for the creation of an intergovernmental entity, created by the agreement and governed by a board appointed by, responsible to, and acting on behalf of the districts that are part of the agreement. The entity could be called a fire authority.

Several districts already operate under one of the areas above covered by intergovernmental agreements. As an example, this includes cities that have contracted with a fire district to provide fire service within the city, or vice versa. Others

share employees i.e., training officers or administrative personnel. ORS 190.020 sets out the contents for an agreement. Examples include responsibility for providing funds, apportionment of fees and revenues, transfer of personnel, and preservation of employment benefits, transfer of possession or title of personal or real property, duration of an agreement, and rights of the parties to terminate the agreement. Some or all of these may be applicable to an agreement, depending

authority. Many authority-like functions can be arrived at through intergovernmental agreement, without the necessity of forming an authority. The advantage or disadvantage, depending upon your view, is that the authority concentrates governance in a board selected by the various involved governmental entities. That also includes any restrictions placed upon that power by the agreement itself. The authority retains the governmental existence of each of its member districts.

The point of this article is to clear up misconceptions and misunderstandings regarding fire authorities.

upon the desires of the involved districts.

If a separate intergovernmental entity is established, it has most of the financial powers in terms of contracting, issuing revenue bonds, or entering into financing agreements (subject to each unit of local governments’ approval). Importantly, the intergovernmentally-created entity or, for the purposes of this column, “Authority” cannot levy taxes. That right is solely retained by the members.

Adoption of any agreement creating an intergovernmental entity must be done by ordinance. As has been discussed at several conferences, ordinances have to be adopted in accordance with ORS 198.510 to 198.600, and include special notice and hearing requirements.

What an authority looks like is up to the elected officials who wish to form the

Merger or consolidation, which takes two entities and creates one new legal entity, is common among fire districts in Oregon. The main difference is that local government entities are eliminated and are replaced by a consolidated board of directors representing the entire merged or consolidated district.

The point of this article is to clear up misconceptions and misunderstandings regarding fire authorities. To a great extent, “Fire Authority” is just a name. It can be the result of the formation of a new intergovernmental entity and provide desired services to several districts.

If you would like more information on intergovernmental agreements and intergovernmental entities, please contact your OFDDA representatives or local legal counsel. ♦

Remembering Dee Wescott

continued from page 6

also a member of the department, began to develop a formal training program that still influences many aspects of the organization today. One of their greatest achievements was the development of a comprehensive water hauling system from pre-designated supply sources throughout the fire district. This ground-breaking program calculated filling, dumping and round-trip driving

At one point, when the fire district's board of directors refused to spend the money to buy personal protective clothing for the volunteers, Dee spearheaded a program that solicited donations from the community to purchase turnout gear. He also developed a point system whereby volunteers could earn their new gear by responding to alarms and attending regular training drills.

The fire district went through a tumultuous period during the 1950's; one that ultimately divided not only the department, but the entire community. After the breakup, as the small remaining

the district. Every battle he fought, every decision he made, was always centered first and foremost on his belief in the true meaning of public service; the belief that a fire district operates in response to the voice of the people it serves, and that that voice, no matter how loud or frustrated or disagreeable at times, needs to be heard. He also believed that the success of any public service organization is dependent upon fostering a relationship with its constituents that is built on integrity and trust.

Dee served the fire district in many other capacities through the years; working his way up through the ranks on the front lines, while at the same time dealing with politics behind the scenes. He found himself equally comfortable in either role. In 1964, he was appointed Fire Chief for the Boring Fire District. He served as the district's last volunteer chief until 1967, when a full time chief was hired. He continued his volunteer service as an assistant chief until he retired from the rank and file in 1997, at the age of 70. Dee remained a voting member on the board of directors until the day he passed away. Of all the organizations Dee Wescott was associated with, during a lifetime of giving of himself to his community, the Boring Fire District was always closest to his heart.

Dee's passing leaves a huge void. He may have been small in stature, but his shoes were so large they are likely never to be filled. ♦

Of all the organizations Dee Wescott was associated with, during a lifetime of giving of himself to his community, the Boring Fire District was always closest to his heart.

times for the department's water tankers (between a water source and the fire scene) to achieve a constant flow of water for fire fighting. The program revolutionized structural fire suppression in rural areas and gained not only national, but international attention as well.

group of volunteers tried to rebuild itself, Dee again responded to his community's need and got himself elected to the board of directors. Dee served in every position during his tenure on the board of directors for the Boring Fire District. Through it all, he never lost his focus or his dream for

Helpful Links:

To view or print out the full text of bills introduced during the 2009 legislative session, or for history and status of bills, go to

www.leg.state.or.us/bills_laws/

- For Committee schedules and agendas, go to www.leg.state.or.us/09reg/agenda/webagendas.htm
- Legislators' Committee Assignments & Summaries of Committee proceedings, visit: www.leg.state.or.us/comm

- For contact information, including address, telephone number and email address for your legislators, go to:

www.leg.state.or.us/senate/senateset.htm

for the Senate and for the House of Representatives

www.leg.state.or.us/house/houseset.htm.

If you are unsure of who your legislators are, go to

www.leg.state.or.us/findlegsltr/findset.htm

To listen to legislative proceedings over the Internet, go to

www.leg.state.or.us/listn/listenset.htm



OFSOA Spring Workshop

"Planting the Seeds for Success"

April 23rd and April 24th 2009 in Brooks, Oregon

Hosted By Chemeketa Community College and Willamette Valley Fire Rescue Authority

TOPICS

- **Going Green - Environmental Commitment to Our Customers and Community**
- **Successful Grant Strategies for the Ordinary Guy**
- **Customer Service - Back to Basics**
- **BOLI - FMLA and Effective Discipline/Employee Coaching**
- **Self Defense and Personal Safety - Hands on Training**
- **Fire Investigation - Fire Cause Determination Techniques**

**Classes will be held at the Chemeketa Brooks Regional Training Center located at:
4910 Brooklake Rd NE, Salem OR 97305 (Exit #263 off of I-5). 503-485-2131.**

**An OFSOA Board Meeting will be held at 7:00 p.m. on Wednesday, April 22nd 2009 at the
Newport Bay Restaurant on Market Street, Salem OR (this is close to the Phoenix Inn)**

Lodging Information

Phoenix Inn located at 1590 Weston Ct NE, Salem OR 97301 (approx. 8 miles from training site)

Phone: 503-581-7004 or 1-888-239-9593

Continental Breakfast Served from 6:30 am to 10:00 am / Hotel Has Indoor Pool and Spa

\$70.00 plus tax for one King bed or \$89.00 plus tax for two Queen beds. Rooms Will Be Held Until 3/23/09 Under OFSOA.

OFSOA Spring Workshop Registration Form or Register online at www.ofsoa.com

Last Name: _____ First Name: _____

Position: _____ Agency: _____

Mailing Address: _____

Phone: (____) _____ Fax: (____) _____ Email: _____

Make Checks Payable to OFSOA

Mail to:

OFSOA

727 Center St. NE, Suite 300

Salem OR 97301

(503) 485-2131 (Tania Kleinschmit)

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LAST DAY
TO DROP &
RECEIVE A
REFUND IS
April 10th

Full Workshop - Member = \$75.00

Workshop - Non Member = \$90.00

Thursday Only - Member = \$45.00

Thursday Only - Non Member = \$60.00

Friday Only - Member = \$30.00

Friday Only - Non Member = \$45.00

Thursday Fun Night Bowling = \$15

Total Due For Registration: _____

Funding is available through the OFSOA Scholarship Fund for the purpose of assisting OFSOA members with partial or all expenses of workshops and conferences. If funding is the only reason you will not be attending, contact Susan Boyle at 503-642-0329 or by email at scholarships@ofsoa.com



Home Fire Sprinkler Update

By Eric McMullen, McMinnville Fire Department

As I sit down to write this article, I can't help but to reflect on the thousands of hours of tireless effort that have been exerted over the years by our predecessors. The battle for home fire sprinklers did not start in 2007 when we went to the table with the Oregon Homebuilders to create a model local sprinkler ordinance... not by a long shot. What we were able to accomplish by 2009, was done so on the backs of decades of drudgery on the part of Oregon's home fire sprinkler pioneers.

As of January 1, 2009, a model ordinance is available in Oregon that can be used for adoption of local one- and two-family fire sprinkler requirements. This ordinance is a culmination of over a year and a half of work on the part of the Oregon Fire Marshals Association, the Oregon Fire Chiefs Association, the Office of State Fire Marshal and the Oregon Fire Safety Coalition.

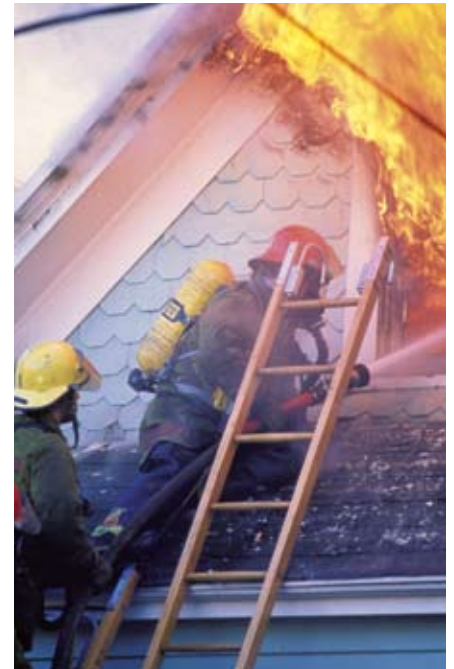
The basic premise of our argument was that many local fire jurisdictions are experiencing great challenges providing community fire protection to high growth areas. In essence, growth is far outpacing our ability to provide much needed

emergency services. When this process started, Oregon's statewide code preempted local government action in the form of local code amendments.

Starting July 1, 2009, municipalities wanting to include residential fire sprinklers as a part of their community fire protection strategy may apply for a local amendment to the statewide code. A local amendment request for fire sprinklers must address the following:

- The scope of the provisions (where will sprinklers be required)
- The secondary costs (increased SDCs and etc.)
- Trade-offs (construction and firefighting water supply and access)
- Fees and provisions for inspection and plan review
- The technical installation standards that will apply

Please bear in mind that adoption of local fire sprinkler requirements will be accomplished as a local amendment to the Oregon Residential Specialty Code and must be executed by your local building departments and city government. Local municipalities must perform due diligence



in the form of public meetings prior to requesting the local amendment through Building Codes Division. Requests without a local process and justification of need will be looked upon unfavorably by Building Codes Division.

Currently, the Oregon Office of State Fire Marshal is working diligently to create a five-step process for locals wishing to pursue a local amendment for fire sprinklers; they hope to have this document ready by April 30th. In the meantime, locals wanting more information can contact me at 503.435.5804 (eric.mcmullen@ci.mcminnville.or.us) or John Caul with the Office of State Fire Marshal at 503.934.8269 (John.Caul@state.or.us). ♦



VISIT THE FIRE SERVICE CENTER



When in Salem, do stop by and visit us at the Oregon Fire Service Center, home to Oregon Fire District Directors Association (OFDDA), the Oregon Volunteer Firefighters Association (OVFA) and the

administrative offices of the Oregon Fire Service Museum and Learning Center. We are located at 1284 Court Street, just a block and a half east of the State Capitol.

Joint Fire Legislative Committee

By Genoa Ingram, OFDDA Executive Director



As in previous session, the Joint Fire Legislative Committee is meeting regularly to review proposed legislation relating to public safety. Staffing of the Committee alternates between the Oregon Fire Chief's Association (OFCA) and OFDDA; this year that responsibility falls to OFDDA. The Committee is currently tracking approximately 100 bills just in the area of public safety alone.

Public Safety

HB 2420 Establishes a presumption that certain cancers are compensable occupational diseases for paid firefighters. The bill represents compromise legislation between the Special Districts Association and the Council of Firefighters. The fire service supports the bill which has passed both houses and will be signed by the Governor.

HB 2365 Prohibits the sale of novelty lighters within the State of Oregon. The fire service supports the bill which has been passed by the legislature and signed by the Governor.

HB 3136 Exempts operators of tow trucks from liability if that person is operating at the direction of a police officer, firefighter, or a person providing ambulance service. The fire service opposes this legislation due to concerns that it might shift liability to the public safety sector.

HB 3056 Introduced at the request of the OFCA, the bill seeks to return property

tax dollars to the tax rolls from urban renewal projects by requiring 50 percent of increments to be added to total assessed value of the property within urban renewal area whenever increment equals total assessed value. The fire service strongly supports the bill.

HB 2950 Seeks to limit inspections by the Office of State Marshal (or a local approved authority) to one inspection of an alteration or construction of a building for compliance with the Fire and Life Safety Code. The fire service opposes the bill.

SB 581 Represents an attempt to balance the State budget. The fire service opposes the bill because, among other things, it diverts \$3.6 million dollars of 9-1-1 funds to the General Fund.

SB 935 Direct the Office of Emergency Management to develop and operate a statewide first responder building mapping information system. The fire services opposes the proposal as both costly and duplicative.

Ethics

Having lived with the ramifications of SB 10 since its passage in 2007, legislators have returned to the Capitol ready to make much needed corrections to this far reaching and often intrusive legislation which triggered the resignations of over 200 local public officials.

During the interim, legislators travelled the state to take testimony regarding how the new rules were affecting local

governments. Several key issues have been identified (such as gift limitations, SEI filing and the prohibition against entertainment) and placed on a fast track for a legislative remedy that will take shape in the form of SB 30. Other issues remain under discussion.

Economic Stimulus On the national level, the economic stimulus bill contains funds earmarked for public safety as follows:

1. FEMA: \$210,000,000 in Firefighter Assistance Grants for the purpose of modifying, upgrading or constructing non-Federal fire stations, not to exceed \$15,000,000 per grant.

2. Department of Interior: \$15,000,000 for wildland fire management for high priority hazardous fuels reduction projects on Federal lands.

3. Department of Agriculture: \$500,000,000 for wildland fire management--\$250,000,000 for hazardous fuels reduction, forest health protection, rehabilitation, and hazard mitigation activities on Feral lands and \$250,000,000 for cooperative activities to benefit State and private lands. The bill allows the Service to use up to \$50,000,000 to make competitive grants for the purpose of creating incentives for increased use of biomass from forest lands.

For those attempting to access information on the Firefighter Assistance Grants, FEMA's Assistance to Firefighters Grant Program web page is www.firegrantsupport.com which includes toll free "Helpline" numbers. ♦



The Oregon Fire Service
Honor Guard
and
The Department of Public
Safety Standards and Training
Cordially invites you
to attend the
Oregon Fallen Fire Fighters
Memorial Ceremony
September 17, 2009
at 1:00 p.m.

The Memorial will be held at the
Oregon Public Safety Academy
4190 Aumsville Highway SE
Salem, Oregon 97317



Protocol: Uniform (Class A preferred).
Memorial bands should be worn over badges.

For additional information, please contact
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