

An aerial photograph of a winding asphalt road with yellow double lines, curving through a lush green forest. The road is set against a backdrop of steep, rocky hillsides. The overall scene is vibrant and scenic.

THE COMMUNIQUE

Summer 2024

President's Message
Page 3

**Back to Basics: Ensuring Board Actions
are Supported by Statutory Authority**
By Local Government Law Group
Page 4

**2024 Oregon Fire Service
Conference Materials**
Page 5-15

Publication Of The
**OREGON FIRE DISTRICT
DIRECTORS ASSOCIATION**
EDUCATION-COORDINATION-LEGISLATION

THE COMMUNIQUE

A Publication of the
Oregon Fire District
Directors Association

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MISSION

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

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Complimentary subscriptions are provided to member districts and boards.

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Directors Association
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IN THIS EDITION

President's Message 3

Back to Basics by Local Gov. Law 4

2024 Conference Materials..... 5-15

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PRESIDENT'S MESSAGE

By Joe Morneau
OFDDA President

Hello all,

I'm pleased to announce that the 2024 Oregon Fire Service Conference registration is open! The OFDDA Conference Committee has worked hard in securing a valuable, educational conference for you and your District. The OFDDA Ambassador Committee has been working on letters addressed via electronically and hard-copied to Districts who qualify for the OFDDA Bruce Williams Scholarship. The Scholarship includes a complimentary registration along with lodging and mileage re-imbusement. Please do not forget about the live AND silent auctions that takes place at conference. Both go towards worthy causes including the Bruce Williams scholarship. We hope that you take part in bidding and potentially putting some baskets/donations together! The Board, Committee and I are very excited and looking forward to the upcoming conference in Sunriver!

OFDDA is represented on the DPSST Board, Governors Fire Service Policy Council, SDAO Legislative Committee, the National Association of Elected Fire Officials (NAEFO), Oregon OSHA Fire Service Advisor Committee Membership, and Life Safety Team. OFDDA also has its own committees within the Association including the Past Presidents Committee, Budget Committee, Ambassador Committee, Property Committee, Nominations Committee, Conference Committee, and Bylaws and Policies Committee. If you are interested in any of the above, please contact OFDDA staff at 503-378-0896 or mandy@ofdda.com.

Regardless of district size, OFDDA is here for you to address any questions or struggles your district maybe having. Please do not hesitate to reach out via phone or email: 503-378-0896 or mandy@ofdda.com.

Respectfully,

Joseph Morneau

541 228-8650
cnh_iron@yahoo.com
Coburg Fire District
OFDDA
BPSST Board

A special *Thank You* to Special Districts Association of Oregon, title sponsor of the 2024 Oregon Fire Service Conference

S | D | A | O

SPECIAL DISTRICTS
ASSOCIATION OF OREGON

Back to Basics: Ensuring Board Actions are Supported by Statutory Authority

by Ross M. Williamson, Local Government Law Group P.C.

For this article, we are going all the way back to the very start to reexamine the foundation of Board authority. The very first question a Board should ask before acting is whether the Board has the authority to take the proposed action. This article is a reminder to examine this most basic of questions – a question that can easily be overlooked during the process of debating important policy issues that come before the Board.

Special districts are creatures of state statute and may only exercise the authority granted by statute. For fire districts, the Oregon Legislature adopted ORS Chapter 478 to provide the necessary statutory authority for fire districts to operate. ORS Chapter 478 is known as the “principal act” for fire districts. In addition to ORS Chapter 478, fire districts are also granted additional authority in other provisions of state statute. For example, ORS Chapter 198 provides general regulatory and procedural authority to all special districts, including fire districts.

To illustrate the concept of the limited nature of special district authority, it is useful to review an example. The preeminent case in this area of Oregon law is the 1976 case, *Harrison v. Port of Cascade Locks* (27 Or App 377). In the *Harrison* case, the Port of Cascade Locks sought to initiate a construction project that would bring revenue and visitors into the community of Cascade Locks. The idea consisted of the Port constructing a tramway that would take visitors up the Columbia Gorge and into the Mt. Hood National Forest. The plan was challenged in court, with plaintiffs arguing that the Port lacked the authority to build a tramway for recreational and tourism purposes. The Port defended its actions by pointing to its own principal act, ORS Chapter 777, which specifically identified the authority of port districts to build “tramways.” When the case got to the Oregon Court of Appeals, the court recognized that ORS Chapter 777 granted authority for port districts to build tramways. But that did not answer the full question for the Court. In ruling against the Port of Cascade Locks, the Court of Appeals determined that the Port may build tramways, but only if the tramway furthers a legitimate port activity or purpose authorized by law. Since the purpose of the proposed tramway was for recreation and tourism, not commercial or freight purposes, the Court of Appeals determined that the Port of Cascade Locks lacked authority for its planned tramway project.

The *Harrison* case teaches us that special districts are public agencies authorized by the legislature to carry out only certain limited functions. Thus, a fire district is limited in its powers and functions to those activities that are specifically delegated to it by the Oregon

Legislature in statute or to those activities that are necessary to carry out the statutory authority. While cities and counties have broad authority that is liberally construed to authorize action, a fire district’s authority is limited to those powers delegated in state law. When interpreting grants of authority to special districts, Oregon courts “strictly construe” such delegations – meaning that questions of authority are resolved against the grant of broad authority. Stated another way, fire districts are limited purpose government agencies – providing only the limited services that are allowed by state statute.

A fire district also has certain “implied authority.” This means that when a fire district is acting under a delegation of authority granted by ORS Chapter 478, the fire district can do such things that are implied by the grant of authority. Implied authority is the power to do such things that are necessary to carry out the power granted by statute. For example, being authorized by state statute to build a fire station means that the fire district also has the implied authority to purchase all the things necessary to construct and maintain the fire station, such as building materials and office equipment.

In looking at the fire district principal act, the Oregon Legislature granted only finite authority to fire district Boards. Under ORS Chapter 478, some of the primary grants of authority include the power to:

- Purchase property for fire stations. ORS 478.260(2).
- Purchase apparatus and equipment for fire-fighting purposes. ORS 478.260(2).
- Create water storage reservoirs for fire-fighting purposes. ORS 478.260(2).
- Acquire real property to create fire evacuation routes. ORS 478.260(3).
- Acquire and operate emergency medical equipment and vehicles. ORS 478.260(4).
- Cooperate with other agencies to create a communication system for fire prevention. ORS 478.305(1).
- Cooperate with other agencies to operate a hazardous material response team. ORS 478.308(1).
- Adopt ordinances to create fees for services. ORS 478.410(4).

To conclude this look at the basics of Board authority, we are left with one question that should be asked when a Board is considering a new action: Are we authorized to act? In answering this question, it is important to remember the lesson from the *Harrison* case – not only does the authority need to be clearly identified in statute, but the purpose of the action must fit within the purpose of the fire district. If clear statutory authority and a fire service purpose cannot be identified for the action, then it is a good idea to seek further advice.

Come celebrate 74 years with us!

We look forward to seeing you at OFDDA's largest training and networking event of the year in beautiful Sunriver, Oregon!

MEALS & REFRESHMENTS

Conference registration includes continental breakfast Thursday through Saturday, lunch on Thursday and Friday, daily break refreshments, and Sponsor Appreciation Night appetizers. Guest meals may be purchased separately.

CANCELLATIONS

All cancellations and refund requests must be received **in writing** via fax, email or mail by Monday, October 14, 2024, to be eligible for a full refund. Cancellations received after October 14, 2024, are not refundable; however, substitutions are encouraged and incur no additional fees.

RECOGNITION, CERTIFICATES & CHANCES TO WIN

- Districts that bring all five board members to the conference will receive special recognition.
 - For each OFDDA business meeting you attend, receive one ticket for a chance to win a complimentary 2025 Oregon Fire Service Conference registration.
- Turn in your conference evaluation form and vendor passport at the end of the Conference for your chance to win a prize! *Must be present to win.*

Remember to bring a donation for the Silent AND Live Auction! Proceeds from the both Auctions help fund the scholarship program.





2024 Oregon Fire Service Conference Schedule

(Subject to Change)

THURSDAY, NOVEMBER 7

- 7:00 a.m. – 5:00 p.m. Registration Desk Open
- 7:00 - 8:15 a.m. Continental Breakfast
- 8:15 – 9:00 a.m. **Opening Ceremonies/Memorial**
- 9:00 – 9:45 a.m. *Keynote Address: Oregon State Representative Charlie Conrad*
- 9:45 – 10:00 a.m. Break
- 10:00—11:30 a.m. **CONCURRENT SESSIONS:**
1. Ethics and Board Policy, Stephanie Heffner (OGEC) 
 2. How to Prepare for an OSHA Inspection, Peter Kimbrel (OSHA)
- 11:30—12:30 p.m. **OFDDA Business Meeting & Budget Workshop**
- 12:30—1:30 p.m. LUNCH & Vendor/Sponsor Introductions
- 1:30—3:00 p.m. **CONCURRENT SESSIONS**
1. How to Promote Your District Through Social Media, Izak Hamilton (Clackamas Fire)
 2. Contingency Plans: Disaster Preparedness and Succession Planning
Jeff Griffin and Les Hallman (WHA Insurance) 
- 3:00—3:15 p.m. Break
- 3:15—4:45 p.m. **CONCURRENT SESSIONS:**
1. OSHA Rules and Discussion, Jason Jantzi (SDAO)
 2. Attorney Panel, Truman Stone and Ross Williamson (Local Government Law Group), Eileen Eakins (Northwest Local Gov Law Legal Advisors), Stephanie Heffner (OGEC)

*Join Us from 5:00-7:00 pm for
Vendor/Sponsor Appreciation Night including
BLACK JACK & WILD WEST CARNIVAL GAMES*

FAMILY FRIENDLY EVENT—All are Welcome!



Light hors d'oeuvres and cash bar available (soda, beer, wine). Network with exhibitors and colleagues while enjoying local food, beverages, and an entertaining evening of blackjack and other games!



2024 Oregon Fire Service Conference Schedule

(Subject to Change)

FRIDAY, NOVEMBER 8

- 7:00 a.m. - 5:00 p.m.** Registration Desk Open
- 7:00 - 8:15 a.m.** Continental Breakfast
- 8:15 - 9:45 a.m.** **CONCURRENT SESSIONS:**
1. Grant Writing, Tim Cramblit (Central Cascades Fire and EMS), and Mike Cook (Chiloquin Fire and Rescue)
 2. Board Member Duties & Responsibilities 201 - Part 1, Ross Williamson and Truman Stone (Local Government Law Group) 
- 9:45 - 10:00 a.m.** Break
- 10:00 - 11:30 a.m.** **CONCURRENT SESSIONS:**
1. Junior Firesetters: Developing Safety & Response System Partnerships, Christine Van Belle (Salem-Keizer School District)
 2. Board Member Duties & Responsibilities 201 - Part 2, Ross Williamson and Truman Stone (Local Government Law Group) 
- 11:30 a.m. - 12:30 p.m.** **OFDDA Business Meeting & Elections**
- 12:30 - 1:30 p.m.** LUNCH & Awards Ceremony
- 1:30 - 3:30 p.m.** **GENERAL SESSION:** SDAO Presentation
- Round Table Facilitated Discussions**
- Managing Challenging Employee Issues
 - OSHA Rules
 - Junior Firesetters
 - Grant Writing
 - Dealing with Death in the Fire Service
 - How to Engage Your Local Representative
- 3:15 p.m.**
-

SATURDAY, NOVEMBER 9

7:00 a.m. - 12:00 p.m. Registration

7:00 - 8:15 a.m. Continental Breakfast

8:15 - 9:45 a.m.

GENERAL SESSION:

Dealing with Death in the Fire Service, Joel Peterson (Cornelius Fire and Police Department, Gaston Rural Fire District Chaplain), and Kenton Johnson (OFDDA Chaplain and Clackamas Fire Chaplain)

9:45 - 10:00 a.m. Break—**Silent Auction Closes**

GENERAL SESSION:

10:00 a.m. - 11:30 a.m. **Hot Topics OFDDA Board Panel**

Moderated by Jay Cross (Clackamas Fire District and OFDDA Director)

11:30 a.m. **Conference Concludes**—Turn in Evaluations, Collect Silent Auction Items, and perhaps win fabulous prizes...

2024 Oregon Fire Service Conference *Lodging*

Sunriver Resort	Starting at \$120*	Book online for lodge guestrooms: Online Link (call for additional lodging options) Call: 541-593-1000	Book by 10/6/24 for special rate
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Be sure to mention OFDDA for the negotiated rate!
****Please confirm taxes and resort fees.***

PLEASE NOTE CANCELLATION POLICY: *The entire length of stay in a guestroom or suite will be billed to the individual account for each guest who cancels less than 21 days prior to arrival.*



CONFERENCE REGISTRATION FORM

2024 Oregon Fire Service Conference

Register online at www.ofdda.com or complete the registration form below. Fax your completed form to **503-364-9919** or email it to mandy@ofdda.com.

Name & Title: _____

Agency/District: _____

Email Address: _____ Cell: _____

Billing Address: _____

City: _____ State: _____ Zip: _____

First Time Conference Attendee? Yes No **First Year Director?** Yes No

REGISTRATION FEE SCHEDULE

	By 10/9	After 10/9	
Member*: Full-Conference	<input type="checkbox"/> \$ 350	<input type="checkbox"/> \$ 400	
Member*: Single-Day	<input type="checkbox"/> \$ 175	<input type="checkbox"/> \$ 200	Which Day(s): _____
Nonmember: Full-Conference	<input type="checkbox"/> \$ 400	<input type="checkbox"/> \$ 450	
Nonmember: Single-Day	<input type="checkbox"/> \$ 200	<input type="checkbox"/> \$ 225	Which Day(s): _____

Group Discount—Save 10% on five FULL CONFERENCE registrations **10% Discount** _____

Registration Fee Subtotal _____

Guest Meals # of breakfasts X \$25.00 _____

of lunches X \$30.00 _____

Total Registration plus Guest Meals _____

**Member price applies to any personnel who serve or are employed by an agency that is a current OFDDA member. Please contact the OFDDA office at 800-223-9708 if you are unsure of your membership status.*

Dietary Restrictions—Please note any dietary restrictions for you and/or your guest: _____

PAYMENT OPTIONS Check enclosed Bill agency listed above Send me a link for credit card payment

CONCURRENT SESSION SELECTIONS (Please indicate all sessions you plan to attend):

THURSDAY, NOVEMBER 7—I will be attending:

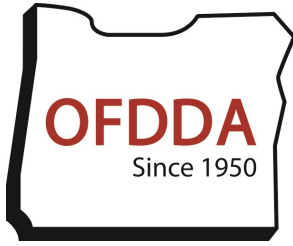
10:00 a.m.	<input type="checkbox"/> Ethics and Board Policy	OR	<input type="checkbox"/> How to Prepare for an OSHA Inspection
1:30 p.m.	<input type="checkbox"/> How to Promote Your District	OR	<input type="checkbox"/> Contingency Plans
3:15 p.m.	<input type="checkbox"/> OSHA Rules and Discussion	OR	<input type="checkbox"/> Attorney Panel
Evening	<input type="checkbox"/> Vendor/Sponsor Appreciation Night	OR	<input type="checkbox"/> Not Attending

FRIDAY, NOVEMBER 8—I will be attending:

8:15 a.m.	<input type="checkbox"/> Grant Writing	OR	<input type="checkbox"/> Duties & Responsibilities 201—Part 1
10:00 a.m.	<input type="checkbox"/> Junior Firesetters	OR	<input type="checkbox"/> Duties & Responsibilities 201—Part 2

SATURDAY, NOVEMBER 9—Two General Sessions: Dealing with Death in the Fire Service and Hot Topics Board Panel

All cancellations and refund requests must be made in writing via fax, email, or mail. Cancellations received on or before **October 14, 2024**, are fully refundable. Cancellations received after **October 14, 2024**, are non-refundable; substitutions are encouraged and incur no additional fees.



OREGON FIRE SERVICE CONFERENCE SCHOLARSHIP APPLICATION

The Oregon Fire Service Conference scholarship covers one conference registration fee for conference events, three breakfasts, two lunches, vendor night refreshments, and conference breaks. Lodging is the responsibility of the attendee. Up to five scholarships may be awarded. Scholarship applicant **must be affiliated with an OFDDA member district** to be eligible.

Submit your completed scholarship application to the OFDDA office by **September 19, 2024**.

MAIL: OFDDA, 1284 Court St. NE, Salem, OR 97301 **FAX:** 503-364-9919

EMAIL: mandy@ofdda.com

REMEMBER to make your lodging reservations by October 6.

APPLICANT NAME: _____

DISTRICT/DEPARTMENT: _____

APPLICANT'S POSITION WITHIN THE DISTRICT/DEPARTMENT (e.g. board member, chief, etc.):

MAILING ADDRESS: _____

PHONE: _____ **EMAIL:** _____

Is your district currently an OFDDA member? (required) Yes No Unknown

Have you or a member of your district previously attended the Oregon Fire Service Conference?

Yes No Don't Know

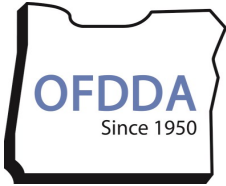
Are any other representatives from your district/department planning to attend this year's Oregon Fire Service Conference? Yes (# attending _____) No Don't Know

Number of career staff positions in your district/department _____

Number of volunteer staff positions in your district/department _____

District/Department budget for current fiscal year _____

If you have any questions about this application, please contact
Mandy at mandy@ofdda.com or 800-223-9708.



OREGON FIRE SERVICE CONFERENCE
OFDDA BRUCE WILLIAMS SCHOLARSHIP FUND
SCHOLARSHIP APPLICATION

W. Bruce Williams Scholarship Fund Assists Small Districts

Submit your completed scholarship application to the OFDDA office by **September 19, 2024**

Scholarship awards will be made by **September 26, 2024.**

MAIL: OFDDA, 1284 Court St. NE, Salem, OR 97301 **FAX:** 503-364-9919

EMAIL: mandy@ofdda.com



Bruce Williams

On February 26, 2006, the fire service lost a valued and trusted servant with the passing of Bruce Williams, member of the SDAO Legislative Committee and former OFDDA Board Member. He was 73.s

In his memory, Bruce's family and OFDDA established the "W. Bruce Williams Scholarship Fund, Honoring our Fire Service Volunteers in Rural Communities." The purpose of the Fund is to provide tuition and travel/lodging expenses for fire district personnel in Oregon to attend conferences and receive training.

REMEMBER to make your lodging reservations by October 6 (if you are staying at Sunriver Resort).

Scholarship applicants will be notified via phone or email on September 26.

To be eligible, your agency must have a total annual assessed valuation in the **lower 25 percent** of fire districts as determined by the Oregon Department of Revenue. **Membership is not a requirement of eligibility.** Please contact the OFDDA office to determine if your district qualifies.

APPLICANT NAME: _____

DISTRICT: _____

APPLICANT'S POSITION WITHIN THE DISTRICT (e.g. board member, chief, etc.):

MAILING ADDRESS: _____

PHONE: _____ **EMAIL:** _____

Is your district currently an OFDDA member? Yes No Unknown

Indicate number for your district: Career staff positions _____ Volunteer staff _____

District budget for current fiscal year: \$ _____

If you have any questions about this application, please contact Laoreal Williams at laoreal@ofdda.com or 800-223-9708.



OREGON FIRE DISTRICT DIRECTORS ASSOCIATION
FIRE DIRECTOR
20-30-40-50 YEAR SERVICE AWARD

The Oregon Fire District Association honors fire district directors with 20, 30, 40, 50 or more years of service as a director for **an OFDDA member fire district**. During this year's Oregon Fire Service Conference, eligible directors will be recognized and receive a special commemorative lapel pin.

The signature below certifies that _____
(name)

Has served _____
(district name)

as a fire director for 20 30 40 50 Other: _____ years.
Must be a period of 20 or more years

SIGNED:

Name Title Date

Please provide a mailing address for the nominee below. A lapel pin will be mailed to recipients who are unable to attend the conference.

MAILING ADDRESS: _____

To ensure recognition of service at this year's conference, please submit your service award application to the OFDDA office **by September 19, 2024**.

MAIL: OFDDA, 1284 Court St. NE, Salem, OR 97301 **FAX:** 503-364-9919 **EMAIL:** mandy@ofdda.com

If you have any questions about this application, please contact
OFDDA Executive Director Genoa Ingram at
genoa@courtstreetconsulting.org or **800-223-9708**.



OREGON FIRE DISTRICT DIRECTORS ASSOCIATION DISTRICT OF THE YEAR NOMINATION FORM

The OFDDA District of the Year award is for the following purpose:

- To provide a means of sharing information, innovative ideas and the variety of activities taking place throughout the state of Oregon.
- To give recognition to those in the fire service who have demonstrated progressive achievement.
- To benefit all fire districts, regardless of size, location, budget, or number of personnel.

OFDDA member districts can be nominated by anyone (even themselves) for this recognition. Examples of activities or accomplishments qualifying for special recognition include, but are not limited to, innovative programs (community outreach or public education campaigns), successfully handling challenges (budget crises or personnel losses), successful recruitment/retention/recognition campaigns, etc.

The nominated district **must be a member of OFDDA** to be eligible to receive the award. Please contact the OFDDA office at 800-223-9708 if you are uncertain about the membership status of the nominee.

NOMINATED DISTRICT: _____

MAILING ADDRESS: _____

PHONE: _____ **EMAIL:** _____

To complete this nomination, please attach a brief description (no more than 200 words) of the program, activity, or other reasons which you believe qualify the district for special recognition.

Contact Information for Person Submitting Nominee

(for contact purposes only—will not be published or announced):

Name: _____

Email: _____ **Phone:** _____

Please return completed nomination form and supporting documentation to the OFDDA office by **October 3, 2024**. **MAIL:** OFDDA, 1284 Court St. NE, Salem, OR 97301 **FAX:** 503-364-9919
EMAIL: mandy@ofdda.com

*If you have any questions about this application, please contact Genoa Ingram
at genoa@courtstreetconsulting.org or **800-223-9708**.*



Oregon Fire District Directors Association
Innovative Safety Award Nomination

Nominee: _____ Nominated by: _____

Email: _____ Email: _____

Phone Number: _____ Phone Number: _____

Attach additional pages if necessary:

1. Describe, in detail, the specific safety innovation the nominee accomplished.

2. What is the impact of this safety innovation?

3. What resources (time, money, etc.) did this safety innovation take to develop and implement?

4. What steps may other districts need to follow to implement this safety innovation?

5. Any additional comments you would like to share?

**The application deadline is *October 3, 2024*. Submit completed nomination forms to
OFDDA, 1284 Court St NE, Salem OR 97301; fax to 503-364-9919;
or email to mandy@ofdda.com**



OREGON FIRE DISTRICT
DIRECTORS ASSOCIATION
EDUCATION • COORDINATION • LEGISLATION

Oregon Fire Service Conference

MEMORIAL SERVICE APPLICATION FORM

In memory of deceased Oregon fire service members, the Oregon Fire District Directors Association conducts a memorial service at the commencement of the Oregon Fire Service Conference every year. Any deceased Oregon fire personnel may be memorialized. Please complete the application and provide the information requested below for any individual you wish to include in the memorial program. Please note, all submissions for the memorial program must be sponsored by an Oregon fire service organization.

DATE OF APPLICATION: _____

SPONSORING ORGANIZATION: _____

MAILING ADDRESS: _____

NAME TO BE MEMORIALIZED: _____

RANK: _____ DATES OF SERVICE: _____

On a separate sheet, please provide details of why the individual is to be memorialized.

General Information:

In addition to remembrance at the memorial service, the name of the person being remembered will be inscribed on a brass plate and added to the memorial plaque at the Oregon Fire Service Center.

Although not required for the memorial service and subsequent remembrance plaque, donations to the OFDDA Memorial Fund are always welcome. All contributions to the fund will be used to provide and maintain the memorial plaque and for the maintenance and improvement of the Oregon Fire Service Center.

To be included in the memorial service at the Oregon Fire Service Conference, return your completed form and supporting documents to the OFDDA office no later than **October 3, 2024**.

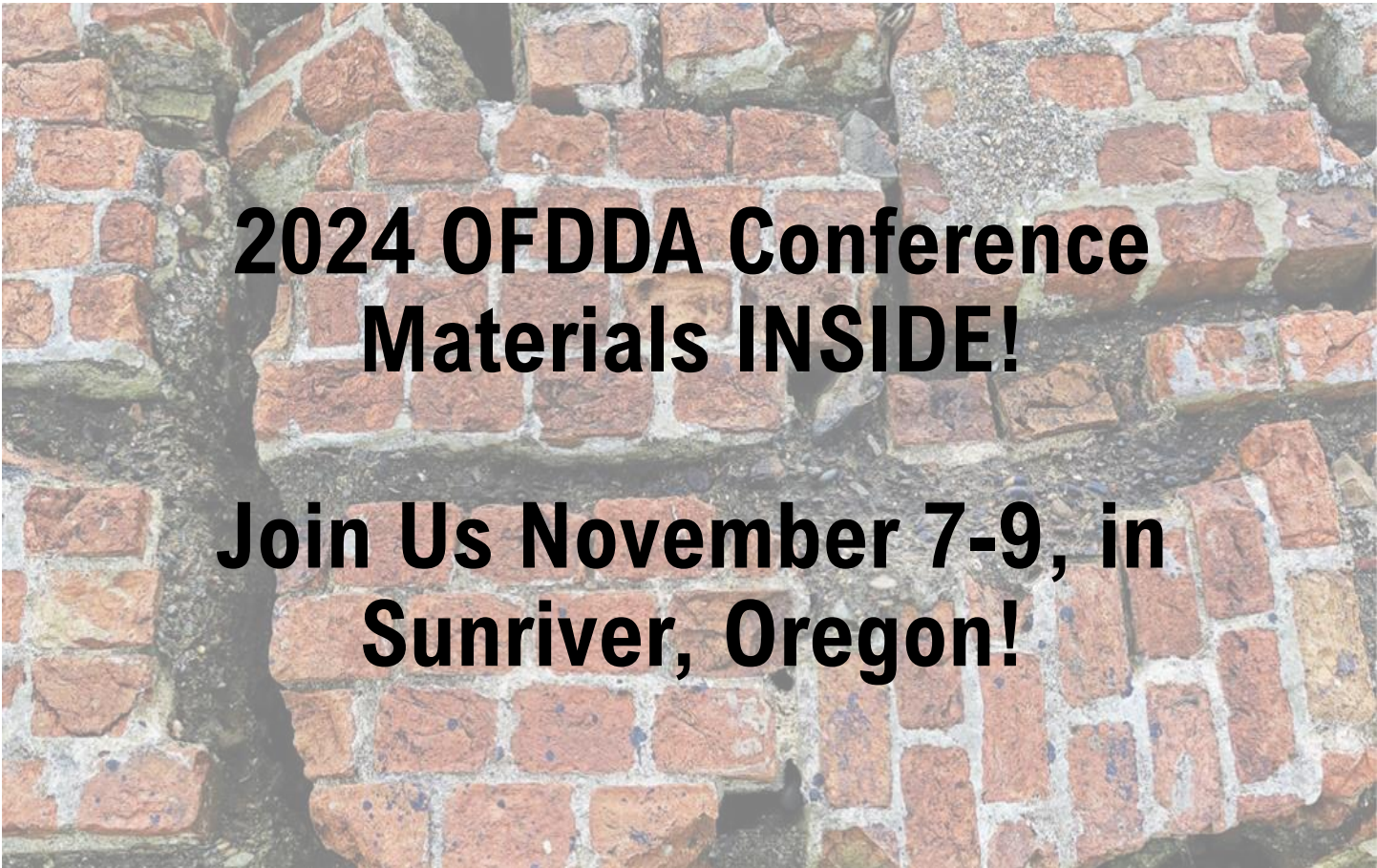
MAIL: OFDDA, 1284 Court St NE, Salem, OR 97301 FAX: 503-364-9919 EMAIL: laureal@ofdda.com

*If you have any questions about this application, please contact
Laureal Williams at laureal@ofdda.com or 800-223-9708.*



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2024 OFDDA Conference Materials INSIDE!

Join Us November 7-9, in Sunriver, Oregon!