

HOUSE COMMITTEE ON GENERAL GOVERNMENT

February 08, 2005 Hearing Room B

8:30 A.M. Tapes 13 - 14

MEMBERS PRESENT: Rep. Vicki Berger, Chair

Rep. Peter Buckley, Vice-Chair

Rep. Mac Sumner, Vice-Chair

Rep. Sal Esquivel

Rep. Larry Galizio

Rep. Brad Witt

STAFF PRESENT: Caralyn Fischer, Committee Administrator

Linda K. Gatto, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2154 – Public Hearing

HB 2155 – Public Hearing

HB 2087 – Work Session

HB 2115 – Public Hearing

HB 2173 –Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 13, A		
004	Chair Berger	Calls the meeting to order at 8:31 a.m. and welcomes new committee member Rep. Brad Witt, House District 31. Opens the public hearing on HB 2154.
<u>HB 2154 – PUBLIC HEARING</u>		
009	Caralyn Fischer	Committee Administrator. Reviews what HB 2154 does.
022	Nancy Orr	State Fire Marshal. Introduces Robert Garrison, retired State Fire Marshal and John McDonald of the Springfield Fire Department. Submits and summarizes prepared testimony in support of HB 2154 (EXHIBIT A) .
038	Robert L. Garrison	Citizen Advisor to the Urban Search and Rescue (USAR) Task Force. Submits prepared testimony in support of HB 2154 explaining that the Task Force was established to address the rescue of trapped victims from earthquakes or terrorist attacks (EXHIBIT B) . Notes there are 28 USAR teams around the nation but none are located in Oregon.
068	Garrison	States there are only nine fire departments that have mutual aid agreements but there are many areas that need trained responders and equipment.
092	Don McDonald	Head of the Technical Rescue Team, Springfield Fire Department. States that these rescues require specialized training.
121	McDonald	States that the probability for survival of a trapped victim in the first 24 hours is 85 percent, after that it drops to about 30 percent and after that it continues to drop.
130	Orr	Submits prepared testimony from the City of Portland in support of HB 2154 (EXHIBIT C) .
126	Rep. Sumner	Notes that the high school involved in the spring break earthquake was Molalla High School.

134	Chair Berger	Inquires who, under current agreements, pays for the fire fighter from Portland to go to Florence to assist.
148	Orr	Explains that the expenses for the responding agencies would be reimbursed by the state. Only those fire departments with mutual aid agreements can assist eachother. In this scenario, the only way to provide aid to Florence is through this legislation.
180	Chair Berger	States that essentially, someone responds and the bill is sent to the Emergency Board.
190	Orr	Adds they get FEMA declarations that reimburse approximately 75 percent of the cost to the state.
199	Bob Livingston	Oregon State Firefighters Council. States support for HB 2154. Adds that this bill addresses the category of risk known as low frequency, high risk.
215	Ken Armstrong	Oregon Fire Chiefs Association, Oregon Volunteer Fire Fighters and Tualatin Valley Fire and Rescue. States support for HB 2154 noting that this is a high priority for the fire chiefs.
235	Genoa Ingram	Oregon Fire District Directors Association. States that the Joint Fire Service Legislative Committee supports both HB 2154 and HB 2155. Notes that the last survivor of the October 1989 San Francisco earthquake lost his life to dehydration because he was trapped for five days.
283	Chair Berger	Closes the public hearing on HB 2154 and opens the public hearing on HB 2155.

HB 2155 – PUBLIC HEARING

269	Nancy Orr	State Fire Marshal. Submits prepared testimony in support of HB 2155 which expands the Conflagration Act (EXHIBIT D). Notes the liability risk for fire departments to send personnel and apparatus in “good neighbor” assistance outside of having the authority to do so. References the Coos Bay fire of 2002.
343	Robert Garrison	Submits prepared testimony in support of HB 2155 referencing the Coos Bay fire of 2002 (EXHIBIT E). Discusses the strain and

liability risk on supporting fire services for local communities when they assist other communities outside the scope of their authority.

- 370 Garrison Notes the issue of small communities that have one station which would leave the community without fire service if the station and its apparatus were destroyed.
- 391 Genoa Ingram States this closes the circle allowing firefighters to assist where there is not a Conflagration Act.
- 430 Rep. Buckley Inquires if there is a chain of command that directs assistance.
- 437 Orr Answers affirmatively and describes the fire defense districts.

TAPE 14, A

- 019 Chair Berger Refers to the language excepting “self propelled pumping equipment” and asks what it means.
- 023 Orr Responds that the language was established during World War II for urban Conflagration. The intended use addresses not sending those departments that do not have additional resources. States for the record that in reference to the fiscal statement, they do not foresee fire departments requesting reimbursement for administrative non-fire emergencies. The legislation is needed to cover the liability and scope of authority.
- 053 Chair Berger Closes the public hearing on HB 2155. Opens the work session HB 2087.

HB 2087 – WORK SESSION

- 055 Caralyn Fischer Committee Administrator. Reviews what HB 2087 does.
- 061 Rep. Sumner **MOTION: Moves HB 2087 to the floor with a DO PASS recommendation.**
- 062 **VOTE: 6-0-0**
- Chair Berger **Hearing no objection, declares the motion CARRIED.**

- 066 Rep. Sumner **MOTION: Moves HB 2087 be placed on the CONSENT CALENDAR.**
- 067 **VOTE: 6-0-0**
- Chair Berger **Hearing no objection, declares the motion CARRIED.**
- 068 Chair Berger Closes the work session on HB 2087 and opens the public hearing on HB 2115.

HB 2115 – PUBLIC HEARING

- 072 Bill Foster Acting Administrator of the Facilities Division, Department of Administrative Services (DAS). Expresses concern on the level of clarity in the language but says the overall concept is fine.
- 083 Chair Berger Requests the committee's indulgence to allow the Oregon Department of Transportation (ODOT) and DAS to resolve their differences and bring HB 2115 back before the committee. Closes the public hearing on HB 2115 and opens the work session on HB 2173.

HB 2173 – WORK SESSION

- 094 Caralyn Fischer Committee Administrator. Reviews what HB 2173 does.
- 097 Rep. Esquivel Comments that this could be utilized in title recordings.
- 114 Rep. Esquivel **MOTION: Moves HB 2173 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Trade and Economic Development by prior reference.**
- 116 **VOTE: 6-0-0**
- Chair Berger **Hearing no objection, declares the motion CARRIED.**
- 118 Chair Berger Closes the work session on HB 2173. Adjourns the committee meeting at 9:10 a.m.

EXHIBIT SUMMARY

- A. **HB 2154, prepared testimony, Nancy Orr, 2 pp**
- B. **HB 2154, prepared testimony, Robert L. Garrison, 2 pp**
- C. **HB 2154 and HB 2155, prepared testimony from City of Portland, Nancy Orr, 1 p**
- D. **HB 2155, prepared testimony, Nancy Orr, 2 pp**
- E. **HB 2155, prepared testimony, Robert L. Garrison, 2 pp**