



# GATED WYE

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## It's a wrap – looking back at the 2007 Legislative Session

By Donna Disch, OSFM Senior Policy Analyst

Of the 50 bills tracked by the Office of State Fire Marshal, eight Senate bills and 10 House bills were signed by the governor or are enrolled with expectations they will be signed. Many bills passed became effective on signing such as Oregon's landmark fire safer cigarette bill, House Bill (HB) 2163. The balance of bills become effective January 1, 2008 unless otherwise stated in the bill.

Throughout the session, the Office of State Fire Marshal worked closely with fire service partners to represent fire service interests by working with the Joint Fire Service Legislative Committee. Committee

representation included the Oregon Fire District Directors Association (OFDDA), Oregon Fire Chiefs Association (OFCA), Oregon Fire Marshals Association, Oregon Volunteer Firefighters Association (OVFA), State Firefighters Council, Oregon Fire Medical Administrators, the Association of Public-Safety Communications Officials - International, Inc/National Emergency Number Association (APCO/NENA) (9-1-1), Tualatin Valley Fire & Rescue (TVF&R), and Clackamas Fire District #1. The group collaboratively reviewed and evaluated the 2007 bills creating a unified policy position for the Oregon fire service.

The American Federation of State, County and Municipal Employees, Philip Morris, the insurance industry lobby and the International Association of Arson Investigators also supported fire service interests from fire safer cigarettes to budget and fire insurance premium tax allocations.

HB 2163, the fire safer cigarette bill, drew praise throughout the session as one of Oregon's premier bills. The bill allows only the sale of self-extinguishing cigarettes. The bill also led the charge as similar bills were passed nationwide.

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*see 2007 session page 4*

## Egley Complex is first conflagration of 2007

July 9, 2007, Governor Kulongoski declared the Egley Complex, 10 miles north of Riley, Oregon, as the state's first conflagration of the year. However, by 6 p.m. July 11, due to the decreased structural threat, all county task forces and the Blue Incident Management Team were demobilized. No structures

were lost and there were no reported injuries.

Request to invoke the Oregon Conflagration Act was made by Harney County Fire Defense Board Chief Chris Briels.

Structural task forces from Deschutes, Linn, Marion and Polk counties were deployed to

protect a mix of residences, commercial buildings, and outbuildings.

To view situation reports and press releases from this conflagration visit [http://www.oregon.gov/OSP/SFM/Egley\\_Complex\\_Conflagration.shtml](http://www.oregon.gov/OSP/SFM/Egley_Complex_Conflagration.shtml).

# From the desk of the State Fire Marshal



**“Evaluating wins and losses and how the fire service fared during session, catapults planning and strategies for the next session.”**

## Close of 2007 Legislative Session moves focus to 2009

It's only a perception that once the Legislative Session is over, it's break time. The moment the gavel drops, declaring *Sine Die* and end of session, is the same moment work begins in earnest for the upcoming session. Evaluating wins and losses and how the fire service fared during session, catapults planning and strategies for the next session.

During the 2007 session, the Oregon fire service made great strides in protecting life and property with the passage of the historic fire safer cigarette bill, HB 2163. Strategic planning and building partnerships to pass this bill began at the end of the 2005 session. Sitting alongside 'surprise' partners such as Philip Morris during supporting testimony for this bill was no accident.

Other successes in the 2007 Legislative Session are a credit to the Oregon fire service including HJR 25, Fire Service Appreciation Day.

Planning underway for the 2009 Legislative Session includes:

- closing the door on using Fire Insurance Premium Tax revenue to fund conflagration costs;
- giving cities and fire districts in wildfire prone areas a stronger voice in policy and mitigation decisions;
- state funding for Urban Search and Rescue;
- self-sufficiency funding and clearer statutes for fireworks regulation.

At the heart of this effort is ensuring current and future legislators and stakeholders know who the Oregon fire service is and what we do.

Now is the time to contact your legislator - invite them to your station, show them what you do and take the opportunity to discuss these and other issues on your mind.



**State Fire Marshal  
Nancy Orr**

**Office of  
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The *Gated Wye* is published monthly by the Oregon Office of State Fire Marshal. For submissions or suggestions contact Rich Hoover at 503-373-1540 ext. 217 or email [richard.hoover@state.or.us](mailto:richard.hoover@state.or.us). In compliance with the Americans with Disabilities Act, alternative formats of this publication are available, contact 503-373-1540 ext. 228 or email [colleen.olson@state.or.us](mailto:colleen.olson@state.or.us).

## Office of State Fire Marshal 90<sup>th</sup> anniversary celebration

This year marks the 90<sup>th</sup> anniversary of the Oregon Office of State Fire Marshal (OSFM) and an open house is planned in celebration of this milestone and the history of OSFM. The open house is planned for Tuesday, October 23, 2007 from 11 a.m. to 1 p.m. at the OSFM office building, 4760 Portland Road NE, Salem, Oregon. All members of the Oregon fire service and general public are invited. Light refreshments will be served.

As part of the celebration, each month the Gated Wye is publishing interesting information from the agency's past.

OSFM history; did you know . . .

- 1929 - The first holiday fire prevention campaign titled *No Christmas Holiday Fires* included a signed declaration by the citizens of Oregon pledging extreme care and thoughtfulness in holiday preparations. There were no fires from Christmas to New Years that year; and that's back when they still decorated trees with lighted candles!
- 1931- The State Fire Marshal Department conducted a series of summer lectures on home and farm fire safety to Oregon 4-H Club members. The members could then earn awards for completing a list of tasks increasing the fire safety around their home and farm.

## OSFM new employee

**Linda Collins**  
**Office Specialist 2**  
**License and Permit Services**



Raised in Bismarck, ND, Collins taught high school for seven years before moving to Salem, Oregon. She began working as an office specialist for the Oregon Department of Justice in 1994. Since then she has worked for the Oregon State Police and the Department of State Lands. "I really appreciate the warm welcome I received when I started working here; the people here are wonderful," says Collins.

## Oregon Fire Code and building codes available online

The Office of State Fire Marshal (OSFM) has partnered with the International Code Council to make the Oregon Fire Code available online. The Code may be accessed either by visiting the OSFM homepage and clicking on the fire code link listed under the *Current Topics* heading or by directly logging on to the ICC host page at [http://www2.iccsafe.org/states/oregon/07\\_Fire/Fire07\\_Frameset.htm](http://www2.iccsafe.org/states/oregon/07_Fire/Fire07_Frameset.htm). The Code is accessible as a read-only Adobe PDF document and may not be downloaded or printed.

The online fire code serves as an easy reference for fire departments, realtors, businesses, architects, builders and the general public for fire code information and as a 'no-cost' alternative to organizations and individuals without the money or the need to purchase a complete printed copy.

Also available online are the state's residential, structural, and mechanical building codes. Visit [www.bcd.oregon.gov](http://www.bcd.oregon.gov) and click on the link for building codes.

For more information, contact Pat Carroll at 503-373-1540 ext. 276 or email [pat.carroll@state.or.us](mailto:pat.carroll@state.or.us).

## Multi-Hazard House available for loan

The Oregon Office of State Fire Marshal has available a new Multi-Hazard House trailer for loan to Oregon fire departments and districts. The mobile prop is an educational aid allowing participants to learn and practice:

- fire prevention,
- fire safety,
- calling 9-1-1,
- correct smoke alarm response,
- safe exiting procedures, and
- disaster and severe weather safety skills.

The prop may also be used to demonstrate the effectiveness of a home fire sprinkler system.

For more information or to reserve this new resource, contact Dee Anna Morgan at 503-373-1540 ext. 416 or email [dee.anna.morgan@state.or.us](mailto:dee.anna.morgan@state.or.us).

## 2007 session

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The forging of House Joint Resolution 25, Fire Service Appreciation Day, originated in Umatilla County and was introduced by Representative Jensen who also represents Union County. January 27<sup>th</sup> of every year will mark the day. This date represents the nation's first fire company organized in Boston in 1678.

HB 605 garnered fire service support as Oregon's chimney sweeps banded together to require licensing, standards and credibility for chimney sweeps with a potential to reduce chimney related fires. This bill subjects businesses engaged in the cleaning or servicing of chimneys to licensure as a construction contractor.

Genoa Ingram, OFDDA Executive Director and chief lobbyist, concentrated on passage of HB 2595 and SB 10 enabling volunteer firefighters and other fire officials to receive tokens of appreciation from the public. In most cases, this was prohibited prior to passage of the ethics package. Public officials, including members of the fire service, may receive gifts but recipients must report gifts valued at more than \$15 to the Ethics Commission. Gifts will soon be reportable through an electronic reporting system at the Commission.

Recently passed ethics bills also allow statewide organizations of public bodies, such as OFDDA, the League of Oregon Cities, Association of Oregon Counties, and the Special Districts Association to develop their own ethics policies within the framework of the revised ethics statutes.

### 2007 HOUSE LEGISLATION – Fire Service Highlights

| HOUSE BILL | IMPACT  | GOVERNOR SIGNED  | EFFECTIVE DATE                                |
|------------|---|--|---|
| 2163A      | Creates fire safety standards for cigarettes  | 04/09 (H) Speaker signed.<br>04/09 (S) President signed.<br>04/17 (H) Governor signed.<br>04/17 (H) Chapter 34, (2007 Laws): | April 17, 2007<br>(See bill for more details) |
| 2370C      | Creates Office of Emergency Management in Oregon Military Department. Abolishes Office of Emergency Management in Department of State Police and transfers functions to office in Oregon Military Department. Prohibits unit of government from seizing firearms from individuals in lawful possession of firearms during declared emergency. | 06/28 (H) Speaker signed.<br>06/29 (S) President signed.<br>07/03 (H) Governor signed.                                       | July 3, 2007                                  |
| 2100       | Allows non-emergency firefighting training; amending ORS .Provides use of water for non-emergency firefighting training is exempt from requirements for application, permit or certificate.   | 05/22 (H) Speaker signed<br>05/22 (S) President signed.<br>05/31 (H) Governor signed.  | January 1, 2008                               |
| 2371       | Requires certain health and child care facilities adopt emergency plans so persons in care of these facilities will be safe if the facility or people in the facility face threat of imminent danger.   | 05/22 (H) Speaker signed.<br>05/22 (S) President signed.<br>05/31 (H) Governor signed.                                       | January 1, 2008                               |
| 2583       | Amends ORS allowing public agency in agreement for joint or cooperative action with public agency in another state to require that public agency in other state indemnify public agency in Oregon.  | 06/04 (S) President signed.<br>06/04 (H) Speaker signed.<br>06/12 (H) Governor signed.                                       | January 1, 2008                               |
| 3044A      | Increases harvest and timber fire protection assessments to owners of timber and grazing lands. Clarifies contiguous lots up to 20 acres assessed for timber fire protection may be treated as one lot if it has a single-family dwelling. Applies to tax years on or after July 1, 2008.   | 06/23 (H) Speaker signed.<br>06/25 (S) President signed.   | January 1, 2008<br>Enrolled                   |
| HJR25A     | Commends fire service members of Oregon. Declares January 27 of each year as Fire Service Appreciation Day.   | 06/29 (H) Speaker signed.<br>07/11 (H) Filed with Secretary of State.  | January 1, 2008<br>Enrolled                   |



Once approved by the Commission, those policies create a safe harbor for public officials acting within those guidelines. Under the new laws, public bodies are also granted discretion to determine what is included in their compensation packages, such as cell phone and vehicle usage.

Ken Armstrong, representing the OFCA, OVFA and TVF&R, elevated volunteer recruitment and retention challenges as he worked on the passage of HB 2670, which proposed a tax credit for fire service volunteers. Armstrong emphasizes, "Though this bill didn't pass, Oregon legislators have a greater appreciation of the work and sacrifice of our fire service volunteers." Strongly

debated bills left in committee upon the 2007 Legislative adjournment included SB 1051 (formerly SB 772) relating to fireworks storage, and several bills relating to the Oregon Wireless Information Network. While these bills may not have passed out of committee, they nonetheless lay the foundation for interim direction.

For more information on the Oregon fire service legislation wrap up, visit [http://www.oregon.gov/OSP/SFM/2007\\_Legis\\_Wrap\\_Up.shtml](http://www.oregon.gov/OSP/SFM/2007_Legis_Wrap_Up.shtml). For more information on legislative bills in general, visit [http://www.leg.state.or.us/bills\\_laws/](http://www.leg.state.or.us/bills_laws/).

### 2007 SENATE LEGISLATION – Fire Service Highlights

| SENATE BILL | IMPACT  | GOVERNOR SIGNED  | EFFECTIVE DATE              |
|-------------|---|--|-----------------------------|
| 5545A       | Ways and Means supplemental funds. Includes funds to Oregon Department of Forestry and Oregon Military. Denies general fund reimbursement for State Fire Marshal mobilization costs for 2005 and 2006.  | 05/08 (S) President signed.<br>05/08 (H) Speaker signed.<br>05/09 (S) Governor signed.<br>05/17 (S) Chapter 104,(2007 Laws)  | May 9, 2007                 |
| 5533A       | The Department of State Police; budget bill includes Office of State Fire Marshal   | 06/05 (S) President signed.<br>06/07 (H) Speaker signed.<br>06/15 (S) Governor signed.<br>06/22 (S) Chapter 439(2007 Laws)   | June 15, 2007               |
| 5536A       | The Department of Public Safety Standards and Training budget bill  | 06/25 (S) President signed.<br>06/25 (H) Speaker signed.<br>06/28 (S) Governor signed.<br>07/12 (S) Chapter 730, (2007 Laws) | June 28, 2007               |
| 193A        | Allows the Department of Consumer and Business Services to specify which boilers and pressure vessels subject to local jurisdiction inspection upon installation, alteration, or repair and to exempt or partially exempt boilers from regulation. Requires inspectors employed by insurance companies to perform certain inspections as required by the state. Clarifies boiler regulations to make them consistent. | 06/13 (S) President signed.<br>06/14 (H) Speaker signed.<br>06/20 (S) Governor signed.                                       | July 1, 2007                |
| 99A         | Creates new provisions to forestland-urban interface fire protection; amends Oregon Forestland-Urban Interface Fire Protection Act of 1997 (Senate Bill 360).   | 04/03 (S) President signed.<br>04/09 (H) Speaker signed.<br>04/10 (S) Governor signed.<br>04/17 (S) Chapter 30, (2007 Laws)  | January 1, 2008             |
| 342         | Allows a PERS retiree to be employed full-time by a public employer as a Department of Public Safety Standards and Training employee without loss of retirement benefits.   | 06/13 (S) President signed.<br>06/14 (H) Speaker signed.<br>06/20 (S) Governor signed.<br>07/02 (S) Chapter 499, (2007 Laws) | January 1, 2008.            |
| 330         | Creates intrastate mutual assistance compact. Streamlines process by which local government may request assistance from another local government under certain circumstances.   | 04/13 (S) President signed.<br>05/01 (H) Speaker signed.<br>05/07 (S) Governor signed.<br>05/11 (S) Chapter 97, (2007 Laws)  | January 1, 2008             |
| 605A        | Makes person engaged in business of cleaning or servicing chimneys subject to licensure as construction contractor. Creates one-year exemption from civil penalty for unlicensed cleaning or servicing of chimney.  | 06/13 (S) President signed.<br>06/14 (H) Speaker signed.<br>06/20 (S) Governor signed.<br>07/02 (S) Chapter 511, (2007 Laws) | January 1, 2008             |
| 420         | Creates a 12-member Environmental Justice Task Force, to be appointed by the Governor.  | 07/12 (H) Speaker signed.  | January 1, 2008<br>Enrolled |
| 450A        | Allows certain landowners create rangeland fire protection associations.  | 06/25 (S) President signed.<br>06/25 (H) Speaker signed.   | January 1, 2008<br>Enrolled |

## Oregon Fallen Firefighters Memorial scheduled

The 2007 Oregon Fallen Firefighters Memorial is scheduled for Saturday, September 15, 2007, at 1 p.m. The memorial will take place at the Oregon Public Safety Academy, 4190 Aumsville Highway SE, Salem, Oregon.

The Oregon Fallen Firefighters Memorial honors all firefighters who have made the ultimate sacrifice and given their lives in the line-of-duty.

For questions or more information, contact Oregon Fire Service Honor Guard Commander Brad Paris at [fyre314@comcast.net](mailto:fyre314@comcast.net).

## Partnership developing Fire Prevention Month materials

The Office of State Fire Marshal, Oregon Life Safety Team and the Oregon Volunteer Firefighters Association are working together to develop materials in support of Fire Prevention Week October 7-13, 2007. The materials will be available at no cost to all Oregon fire departments and districts.

The messages and design of the materials will reinforce this year's National Fire Protection Association theme titled *Practice Your Escape Plan!* and will also emphasize the importance of maintaining working smoke alarms.

More information and ordering details will be published in the September Gated Wye.

## Wood chipper tax credit available through December

The Oregon Department of Environmental Quality is offering tax breaks on the purchase of wood chippers until December 31, 2007. This can be a great incentive for homeowners to purchase chippers to use when clearing ladder and other fuels from around their home. For more information, visit <http://www.deq.state.or.us/aq/burning/chippertc.htm>.

## Multi-family housing fire reduction training scheduled

The Oregon Life Safety Team, in partnership with the Office of State Fire Marshal (OSFM) and Tualatin Valley Fire & Rescue (TVF&R), is hosting a train-the-trainer workshop covering TVF&R's Multi-Family Housing Fire Reduction Program. The workshop is scheduled October 25, 2007, 8:30 a.m. to 12:00 p.m. at the OSFM building in Salem.

The train-the-trainer program is designed to assist fire departments desiring to provide fire and life safety training for apartment managers and includes:

- Research information on why the program was started
- All elements of the Multi-Family Housing Fire Reduction training
- Tips on implementing the program in your community
- Related training materials
- Pre and post program evaluations
- Survey information on the program

In 2006, TVF&R received the International Association of Fire Chiefs *Fire Service of Excellence Award* for its Multi-Family Housing Fire Reduction Program.

Topics in the Multi-Family Housing Fire Reduction program include:

- Landlord and tenant roles in maintaining working smoke alarms
- Fire and human behavior in multi-family properties
- Recognizing fire hazards and methods to minimize them
- Safety codes affecting multi-family properties
- The importance of educational tools to assist with language barriers
- Youth firesetting and the resources available to managers and tenants
- Landlord vigilance and policies regarding fire and life safety

For more information or to register, contact Dee Anna Morgan at 503-373-1540 ext. 416 or email [dee.anna.morgan@state.or.us](mailto:dee.anna.morgan@state.or.us). Space is limited, early registration is recommended.



## Diesel Fuel 2

### Description:

- A complex mixture of hydrocarbons produced by crude oil distillation
- Clear to yellow liquid with a petroleum odor
- Tax exempt diesel is a pale red color
- Flash point is 125° F
- LEL: 0.5%; UEL: 4.1%
- Hazard Class: (3.3) Flammable liquid (flash point between 73°F & 141°F) (OSFM)
- (6.3) Acute Health Hazard; (6.4) Chronic Health Hazard
- UN/NA: 1993; 1202 for air or marine vessels
- CAS No.: 68476-34-6

### NFPA Information:

- Health: 1
- Flammability: 2
- Reactivity: 0
- Special: none

### Uses and Occurrences:

- Used as fuel in trains, ships, trucks, automotive vehicles and equipment

### Reactivity and Fire Risk:

- Flammable and may be ignited by sparks, flames or other sources of ignition
- Vapors can travel along surfaces to distant ignition sources and flash back
- Vapor may form an explosive mixture with air
- Can accumulate static charge

### Health Hazards:

- Exposure limit: OSHA (PEL): 100 ppm (TWA)
- Eye and skin contact may cause irritation
- Inhalation may cause symptoms of dizziness, drowsiness, euphoria, headache

### Personal Protective Equipment:

- Firefighters should wear SCBA and full protective clothing
- For normal use wear goggles, gloves, clothing appropriate to prevent chemical from contacting eyes and skin
- Local exhaust ventilation is preferred

- Above allowed limits appropriate respiratory protection should be used

### Inspection and Storage Tips:

- Keep away from all sources of ignition
- Open container slowly to relieve any pressure

### IFC Information:

- Class II combustible liquid
- Maximum allowable quantities (MAQ) per S occupancy control area:
  - Unprotected by sprinklers or approved storage cabinets: 120 gallons
  - In sprinklered building, not within approved storage cabinets: 240 gallons
  - In unsprinklered building, within approved storage cabinets: 240 gallons
  - In sprinklered building, within approved storage cabinets: 480 gallons
- For storage of quantities exceeding the MAQ for S occupancy, the storage facility must conform to H-2 or H-3 occupancy requirements

### Incident Reporting and Information:

- There are 6336 facilities reporting Diesel and 1024 specifying Diesel 2 or Diesel Fuel 2 on the Hazardous Substance Information Survey
- There have been 767 hazardous materials incidents reported in Oregon since 1986 involving diesel fuel. Note: Diesel Fuel 1 and Diesel Fuel 2 are both included.

Alec Carte is a HazMat Information Specialist in the OSFM Community Right to Know unit. She can be reached at 503-373-1540 ext. 262, or [aleta.carte@state.or.us](mailto:aleta.carte@state.or.us)

## California cities ban sale of novelty lighters

City officials in National City and Redlands, California have voted to ban the sale of novelty lighters. National City's ban, effective June 1, 2007, was the first in the United States; then on July 17, 2007, the Redlands City Council voted unanimously to ban any lighter "especially attractive to children 10 years or younger due to a toy-like design or other features, such as buttons or devices that initiate visual effects, flashing lights or musical sounds that might encourage a child to use the lighter." The Redlands ban is effective August 7, 2007.

Fire officials from both cities referenced materials and data from the Oregon Office of State Fire Marshal as motivating factors in pushing for a ban.

For more information on OSFM's nationwide novelty lighter effort, visit [http://www.oregon.gov/OSP/SFM/Novelty\\_Lighters\\_Action.shtml](http://www.oregon.gov/OSP/SFM/Novelty_Lighters_Action.shtml).



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## Unclassifieds

### For sale

Scott air packs – 14 complete packs, 12 spare bottles, and 52 masks. Package price of \$6,500 negotiable. For more information, call 503-985-7575 and press 0; 8:00 a.m.-5:00 p.m.

### Equipment wanted

Pine Hollow Fire Department is seeking a quick initial attack engine with 250+ GPM pump, 400 gallon tank, short wheel base 4-wheel drive, with automatic or diesel engine. Must be able to pump and roll. Contact Brenda Kjenslee at 541-544-2035 or Basil Beeler at 541-544-2448.

### Position openings

Fire Chief – Jefferson County Fire District #1

For applications, contact Rick Allen at 541-475-2220 or email [rlallen@rlallengroup.com](mailto:rlallen@rlallengroup.com).

Information and applications are also available at [www.jcfd1.org](http://www.jcfd1.org). Application deadline is 5:00 p.m. August 31, 2007.

Fire Chief – Tangent Rural Fire District

For applications or more information, contact Tangent Rural Fire District at 541-928-8722.

Application deadline is September 28, 2007.