

State mulling higher wildfire premiums

By Hillary Borrud
Capital Bureau



File photo/Grant County Sheriff's Department

Lloyd's of London has offered the state wildfire insurance coverage with substantially higher premiums and deductibles.

SALEM — Officials at the Oregon Department of Forestry are getting anxious, as the state heads into fire season without the wildfire insurance policy the state has traditionally purchased.

Forest landowners, lawmakers and other state officials are mulling over a proposal that would more than double Oregon's wildfire insurance deductible, from \$20 million to \$50 million.

"As far as the Department of Forestry is concerned, if there's going to be a policy, we'd like to see it in place as soon as possible because the last two years we've seen fires early in the season," said Rod Nichols, a

spokesman for the Oregon Department of Forestry. "Because of the dry, warm conditions, we could see fires early on be

substantial. This is the fifth year now of drought in the Northwest and Oregon."

The state usually has a pol-

icy in place by April, but the past two costly wildfire seasons caused insurers to reconsider whether to issue coverage to the state. The state "sent a contingent to London" earlier this year to present a case for Lloyd's to continue insuring the state, said Tim Keith, administrator of the Emergency Fire Cost Committee that oversees money raised through fees paid by forest landowners. Oregon State Forester Doug Decker is currently discussing the proposal with lawmakers and the other officials who will decide whether to purchase a policy this year.

"He's talking with them because it is a major budgeting decision," Nichols said.

For several decades, the state has used money from forest landowners and the general

fund to purchase a policy from Lloyd's, the London insurance market. Oregon is the only state in the nation to purchase a wildfire insurance policy. Severe wildfires in 2013 and 2014 caused the company to increase the cost of the policy this year.

Nichols said there is no hard deadline for the state to decide whether to purchase the policy, but state lawmakers must pass a budget by June 30.

This year, Lloyd's said it would issue a policy with \$25 million in coverage, which would kick in after the state spends at least \$50 million on wildfire suppression. The premium would be \$3.75 million. Last year, the state paid a premium of \$2 million and received \$25 million in coverage, after it had spent

\$20 million on firefighting.

Nichols said it could raise questions for some people that the state would consider an insurance policy with a deductible twice the amount of the coverage, but the state's situation is different than many conventional purchasers such as an individual who buys homeowners insurance. That is because the state views the \$50 million deductible as its spending budget for fire protection. Nichols said that during severe fire seasons, the insurance policy is a buffer that prevents firefighting costs from eating into the state general fund and taking money away from other programs.

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"Relying on a third party's consent should be approached with caution," he said in closing.

In response to the decision, Deputy District Attorney Matt Ipson filed a motion to dismiss all three marijuana cases late Thursday, and Cramer issued that judgment the same day.

Ipson said that without the evidence from the search, there was no basis to continue the prosecution.

He also said he has no intention of appealing Cramer's ruling on the search evidence.

"I understand and respect Judge Cramer's ruling," Ipson said. "It's time to move on."

Supporters of Graves called it a victory for the right to use cannabis for medicinal and health benefits. In an Internet post, Mindi Griffiths said that even as they awaited the official dismissal by the court, "celebrations have already begun."

Robert Raschio, attorney for Martin, said his client is pleased to have the case end.

"Being charged with a crime for exercising his sincerely held religious beliefs was excruciating for him," Raschio said. "The court made a decision applying the law around search and seizure, and

protected all of our rights to be free of unwanted government intrusion unless a warrant is obtained first, as required by the Constitution."

The case arose as the legal landscape for marijuana took a significant shift in Oregon, with voters last fall approving a measure to make recreational marijuana legal, expanding on an already robust medical marijuana program.

In this case, however, recreational use was not an issue. Defense attorneys contended the marijuana was a religious sacrament, and Graves testified early on that she is the leader of a branch of a Native American church that uses cannabis in healing rites.

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As for any involvement by the Partners, he said, "It's my understanding they are not interested in

taking on that task on our behalf."

Members of the Partners have said the group acts independently and is not interested in working for the county government. They plan to continue their work focused on vegetation management – timber and restoration – projects.

The group, which includes representatives of the timber industry as well as conservation community, also plans to continue providing input on the forest plan revision.

Asked a second time at last week's meeting about the \$20,000, Myers said,

"We did not pay Blue Mountains Forest Partners \$20,000, and we will not. The discussion has gone no farther."

Britton was not at the meeting last week. Contacted later, he said the idea of tapping the expertise of the Partners seemed like a good idea, but it was "just a concept." He had hoped the group would take it on, with or without help with the costs, but he acknowledged that apparently they are not interested.

"In retrospect, I think it's wise for them not to take the county's money," Britton said.

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