

# HOUSE BILL REPORT

## SHB 2771

---

As Passed Legislature

**Title:** An act relating to fire protection district authorities.

**Brief Description:** Allowing permits for practice fire suppression.

**Sponsors:** By House Committee on Local Government (originally sponsored by Representatives Chappell, Brumsickle, Chandler, Sehlin, Hansen, L. Thomas, McMorris, Fuhrman, Dyer, Schoesler, Sheahan, Holm and Basich).

**Brief History:**

Reported by House Committee on:  
Local Government, February 4, 1994, DPS;  
Passed House, February 11, 1994, 97-0;  
Passed Legislature.

---

### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives H. Myers, Chair; Springer, Vice Chair; Edmondson, Ranking Minority Member; Reams, Assistant Ranking Minority Member; Dunshee; R. Fisher; Horn; Moak; Rayburn; Van Luven and Zellinsky.

**Staff:** Steve Lundin (786-7127).

**Background:** Both the federal and state governments have Clean Air Acts regulating air pollution.

Under the state Clean Air Act, an active air pollution control authority is created in every county with a population of 125,000 or more and an inactive air pollution control authority is created in every other county. The county legislative authority may adopt a resolution activating its inactive air pollution control authority. The county legislative authorities of two or more contiguous counties may merge any combination of active or inactive air pollution control authorities.

A local air pollution control authority or the Department of Ecology, where such an authority does not exist, issues

permits for setting fires, including for structures set on fire for fire fighting instruction purposes.

**Summary of Bill:** Without obtaining a permit from the local air pollution control authority or the Department of Ecology, fire protection district fire fighters may set fire to structures for instruction in methods of fire fighting if the structures are located outside of an urban growth area, in a county that plans under the Growth Management Act, or outside of a city with a population of 10,000 in other counties.

These fires are subject to the following: (1) Other permits and licenses must be obtained; (2) the fire may not be located in an area declared to be in an air pollution episode or any stage of an impaired air quality; (3) the fire is subject to nuisance laws; (4) notice of the fire must be provided to owners of adjacent property; (5) structures that are to be set on fire must be identified; and (6) the structures must be inspected for the presence of asbestos and asbestos must be removed.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This is an agreed to bill. Fire training must be allowed to continue, but we must be mindful of air pollution problems.

**Testimony Against:** None.

**Witnesses:** Representative Chappell, prime sponsor; Stu Clark, Department of Ecology; and Mel Low, Thurston County Fire District No. 6.