

HOUSE BILL REPORT

SHB 2104

As Passed Legislature

Title: An act relating to funding for forest fire protection.

Brief Description: Providing for an increase in forest fire protection funds.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Rockefeller, Sump, Pearson and Doumit).

Brief History:

Committee Activity:

Natural Resources: 2/19/01 [DP];

Appropriations: 3/29/01, 4/2/01 [DPS].

Floor Activity:

Passed House: 4/5/01, 97-0.

Senate Amended.

Passed Senate: 4/20/01, 40-0.

House Concurred.

Passed House: 4/22/01, 83-0.

Passed Legislature.

Brief Summary of Substitute Bill

- Declares legislative intent that the costs of fire protection for forest lands be shared between forest landowner assessments and the state.
- Increases the assessment for fire protection for parcels of land over 50 acres by three cents for every acre over 50 acres.

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: Do pass. Signed by 11 members: Representatives Doumit, Democratic Co-Chair; Sump, Republican Co-Chair; Pearson, Republican Vice Chair; Rockefeller, Democratic Vice Chair; G. Chandler, Edwards, Eickmeyer, Ericksen, Jackley, Murray and Pennington.

Staff: Bill Lynch (786-7092).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 31 members: Representatives Sehlin, Republican Co-Chair; H. Sommers, Democratic Co-Chair; Barlean, Republican Vice Chair; Doumit, Democratic Vice Chair; Lisk, Republican Vice Chair; Alexander, Benson, Boldt, Buck, Clements, Cody, Cox, Dunshee, Fromhold, Grant, Kagi, Keiser, Kenney, Kessler, Lambert, Linville, Mastin, McIntire, Mulliken, Pearson, Pflug, Ruderman, D. Schmidt, Schual-Berke, Talcott and Tokuda.

Staff: Jeff Olsen (786-7157).

Background:

Owners of forest land are required to adequately protect against the spread of fire from or onto their property during the fire season. The Department of Natural Resources (DNR) is required to provide fire protection for forest landowners who are unable to provide their own fire protection. The DNR provides forest fire protection to much of the forest land in the state, and may contract out fire protection services with local governments.

The DNR funds the cost of providing forest fire protection to forest landowners through forest protection assessments and state general fund appropriations. The annual forest protection assessment imposed on a forest landowner in a forest protection zone for each parcel of land is a flat assessment of \$14.50, plus 22 cents per acre for every acre over 50 acres.

A 1997 study by TriData of the state fire program for forest lands compared the amount of funding received for fire protection by fund source among several western states. This study found that Washington state contributes the smallest percentage of funds for fire protection from its state general fund, and the highest percentage of funds for fire protection from landowner assessments. This study considered it imperative that a more equitable split between the state general fund and landowner assessments be established for forest protection. Concerns were also raised in the study about the state's ability to provide adequate fire protection because of inadequate resources.

Owners of multiple parcels of forest land located within the same county, each parcel containing less than 50 acres, may apply to the DNR for a refund of a portion of the fire protection assessment paid. Concerns have been expressed about the amount of work the DNR must perform to process refunds.

Summary of Bill:

The Legislature declares it the policy of the state to equitably share the costs of fire protection between the forest fire protection assessment account and state contributions.

The Legislature also declares that sufficient funds should be committed to the forest fire protection program so that the recommendations of the TriData study can be implemented on an equitable basis.

The assessment for forest protection is increased for parcels of land that exceed 50 acres from a flat fee plus 22 cents per acre for every acre over 50 acres, to a flat fee plus 25 cents per acre for every acre over 50 acres. This 3 cent increase in landowner assessments is contingent upon the state providing its equitable share of forest fire protection. If specific funding is not provided for this legislation by June 30, 2001, in the state operating budget, the 3 cent increase in landowner assessments is null and void.

Owners of small parcels of forest land, that are entitled to a refund for fire protection assessments because they own multiple parcels within a single county, may submit a single application listing the parcels owned to the Department of Natural Resources. The department is required to compute the correct assessment and allocate one parcel in the county to use for collecting the assessment in lieu of the current refund process. The county must bill the forest fire protection assessment on the one parcel identified by the department for collection of the assessment. The landowner is responsible for notifying the department of any changes in parcel ownership.

The new assessment process is phased-in over a period of five years. Property owners with the following number of parcels may apply to the department in the year indicated:

<u>Year</u>	<u>Number of Parcels</u>
2002	10 or more parcels
2003	8 or more parcels
2004	6 or more parcels
2005	4 or more parcels
2006	2 or more parcels

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed. However, the bill is null and void if not funded in the budget.

Testimony For: (Natural Resources) This legislation is consistent with what the stakeholders expressed during the meetings with DNR. This will allow for implementation of the TriData recommendations. It is important to provide adequate funding up front so small fires can be kept small, and larger fires can be managed better. Local fire districts do not have the resources to respond adequately without assistance from DNR. It is important to keep this issue alive and provide the needed upgrades to

DNR's ability to provide fire protection.

Testimony For: (Appropriations) The needs for fire protection in the state have been identified in an independent study of the fire program at the Department of Natural Resources. With the drought, conditions are set up for a catastrophic fire season. Prevention is more cost effective than suppression. Investments in readiness and training can provide five times the returns of the amount invested. The bill provides an opportunity for a public-private partnership to address fire protection.

Testimony Against: (Natural Resources) None.

Testimony Against: (Appropriations) None.

Testified: (Natural Resources) (In support) Randy Acker, Department of Natural Resources; Bill Garvin, Washington Forest Protection Association; and Jim Broman, Washington State Association of Fire Chiefs.

Testified: (Appropriations) Representative Sump, co-prime sponsor; Representative Rockefeller, co-prime sponsor; Dan Coyne, Simpson Timber Corporation; and Andrea Howell, Weyerhaeuser.