

SENATE BILL REPORT

SB 6580

As of January 31, 2004

Title: An act relating to regulation of outdoor burning.

Brief Description: Authorizing statewide regulation of outdoor burning.

Sponsors: Senators Doumit, Oke and Jacobsen; by request of Washington State Patrol.

Brief History:

Committee Activity: Natural Resources, Energy & Water: 2/4/04.

SENATE COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER

Staff: Richard Rodger (786-7461)

Background: Outdoor burning is the burning of any material in an open fire or in an outdoor container without providing for the control of combustion or the control of emissions from the combustion.

Outdoor burning is not allowed in: (1) any area of the state where federal or state ambient air quality standards are exceeded for pollutants emitted by outdoor burning; or (2) urban growth areas, except for certain cities having a population of less than 5,000 people which are exempt until December 31, 2006.

Summary of Bill: Whenever the State Fire Marshal finds that conditions of extreme fire hazard exist and that state resources or the protection of life and property may be in danger, the Fire Marshal may recommend that the Governor prohibit outdoor burning on public and private land throughout the state or within specific portions of the state.

When the Governor receives a recommendation to prohibit burning, and finds the state resources or the protection of life and property are in danger, the Governor may issue an executive order limiting outdoor burning. These provisions are enforced by any general or limited authority peace officer or may be enforced by any district, city, county, and/or state fire authority.

It is a gross misdemeanor for any person to intentionally violate an executive order that prohibits outdoor burning. A negligent violation of the executive order is a class 1 civil infraction. A person violating the executive order is also liable for actual damages caused by the violation, plus costs and attorneys' fees.

Appropriation: None.

Fiscal Note: Available.

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