

# SENATE BILL REPORT

## SB 6144

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As Reported by Senate Committee On:  
Energy, Natural Resources & Marine Waters, January 30, 2012

**Title:** An act relating to authorizing the department of natural resources to provide wildfire protection services for public lands managed by state agencies.

**Brief Description:** Authorizing the department of natural resources to provide wildfire protection services for public lands managed by state agencies.

**Sponsors:** Senators Ranker, Morton, Hargrove, Parlette, Fraser, Regala, Honeyford, Swecker and Shin; by request of Commissioner of Public Lands.

**Brief History:**

**Committee Activity:** Energy, Natural Resources & Marine Waters: 1/26/12, 1/30/12 [DP].

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### SENATE COMMITTEE ON ENERGY, NATURAL RESOURCES & MARINE WATERS

**Majority Report:** Do pass.

Signed by Senators Ranker, Chair; Regala, Vice Chair; Delvin, Ranking Minority Member; Morton, Ranking Minority Member; Fraser, Hargrove, Stevens and Swecker.

**Staff:** Curt Gavigan (786-7437)

**Background:** The Department of Natural Resources (DNR) is required to have direct charge of and supervision over all matters pertaining to the forest fire service of the state. Under this authority, DNR generally provides fire protection services to state and non-federal owners of forest lands under this authority. The term forest land means unimproved lands with enough trees or flammable material to constitute a fire menace, as determined by DNR.

DNR has broad authority to cooperate with local governments, other states, the federal government, or Canada regarding forest firefighting whenever DNR deems cooperation in the best interest of the state. Specifically, DNR has the authority to enter into agreements with a local or state government or the federal government to provide fire-related services, which may provide for an exchange of services or services in exchange for payment or other compensation.

**Summary of Bill:** DNR may provide fire-related on nonforested public lands managed either by DNR or other state agencies. These services can include fire detection, prevention,

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presuppression, or fire suppression. DNR may only provide fire services on nonforested public lands where these actions will not detract from its mandatory fire-related duties .

If the fire services are being provided on land managed by an agency other than the DNR, a cooperative agreement must be in place that provides full reimbursement to DNR for its services.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: This bill is at the request of the Commissioner of Public Lands to allow DNR to provide fire protection on a reimbursable basis on non-forested state lands. DNR and the Department of Fish and Wildlife (DFW) recently found that some of DNR's fire protection activities on certain DFW land could be inconsistent with current law. Because the agencies feel it is efficient to have DNR provide these fire services, the agencies would like to align the law to current practice.

**Persons Testifying:** PRO: Randy Acker, DNR.