
**Agriculture & Natural Resources
Committee**

HB 2596

Brief Description: Reducing the occurrences of small wildland fires escalating into catastrophic fires through the creation of a mechanism to better equip local wildland fire suppression entities in their immediate, local suppression activities.

Sponsors: Representatives Dye, Blake, Kretz, Tharinger, Short, Schmick, McCabe, Haler, Rossetti, Muri, Condotta and Springer.

Brief Summary of Bill

- Creates a new account to be used to fund immediate, local fire suppression responses by local suppression entities.

Hearing Date: 1/26/16

Staff: Jason Callahan (786-7117).

Background:

The Department of Natural Resources (DNR) is the agency of the state with the direct charge and responsibility over all matters pertaining to forest fire services in the state. The DNR appoints trained personnel in order to carry out the DNR's duties and is obligated to employ sufficient numbers of personnel to extinguish or prevent the spreading of any fire that may be in danger of damaging or destroying any timber or other property of the DNR.

Also, when in the state's best interest and for the purposes of forest firefighting and patrol, the DNR may cooperate with any agency of another state, the United States or a federal agency, and any county, town, corporation, person, or native American tribe. Further, the DNR may contract and enter agreements with private corporations for the protection and development of the forest lands within the state.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The DNR is authorized to approve all needed and proper expenditures for forest protection. The State Treasurer is required to transfer funds from either the General Fund, or another fund the Treasurer finds appropriate, to a specially designated account that matches all unbudgeted forest firefighting expenses incurred by the DNR. All amounts borrowed under this authority, plus interest, must be repaid to the donating fund.

Summary of Bill:

A new account is created called the Local Wildland Fire Suppression Account (Account) to be managed by the DNR. Other than a five percent administrative overhead, all monies in the Account must be used to fund immediate, local fire suppression responses. The Account must be funded through an appropriation by the Legislature. To aid that process, the DNR must include a budget request for the Account based on historic demand for the account and anticipated fire conditions.

A local suppression entity, which can be any non-state and non-federal public agency responsible for suppressing fires, may submit a request for an expenditure from the Account if a wildfire starts within its jurisdiction. Along with the report of the fire, the local suppression entity must provide information regarding its proposed suppression actions and anticipated costs. If a request is made, the DNR is required to take certain actions without independently confirming the state of the reported fire.

When a request for funds in the Account is made, the DNR has 30 minutes to either release the amount of money requested that allows the local suppression entity to initiate an immediate response, provide a guaranteed level of reimbursement to the local suppression entity to cover costs associated with an immediate response, or release assets under the control of the DNR to facilitate an immediate response. If DNR releases assets directly, it may reimbursement itself from the Account for the cost of those assets.

Any local suppression entity that receives funding from the Account is required to satisfy a 10 percent cost match for the amount of money provided from the Account. However, that cost match requirement is not applicable if the local suppression entity is able to contain the fire within the first six hours. The cost match requirement can be satisfied through a monetary payment back into the Account or through the provision of in-kind services. All cost match payments must be provided within a year of receiving funds from the Account. The Local Wildland Fire Liaison may serve as a mediator in any disputes between the DNR and a local suppression entity regarding cost match payments.

The DNR is only responsible for providing funding from the Account as long as there is money left in the Account. The DNR must keep all local suppression entities apprised of the Account's balance during the fire season. There is no guarantee of funding for local suppression entities once the monies in the Account are extinguished; however, the DNR may assure reimbursement for up to two years following a release of funds if the assurance is appropriate given the anticipated future balance of the Account.

The DNR must provide a report to the Legislature by October 31, 2018, that summarizes the demand placed on the Account, the instances of local suppression entities being denied funding

due to an insufficient balance in the Account, and an estimate of an appropriate funding level for the Account.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.