

HOUSE BILL REPORT

ESHB 2010

As Passed Legislature

Title: An act relating to the prevention of homelessness in wildfire areas.

Brief Description: Addressing homelessness in wildfire areas.

Sponsors: House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Maycumber, Dent, Blake, Kretz, Dye and Manweller).

Brief History:

Committee Activity:

Community Development, Housing & Tribal Affairs: 2/14/17, 2/16/17 [DPS].

Floor Activity:

Passed House: 3/6/17, 98-0.

Senate Amended.

Passed Senate: 4/7/17, 48-0.

House Concurred.

Passed House: 4/13/17, 96-0.

Passed Legislature.

Brief Summary of Engrossed Substitute Bill

- Requires the Department of Natural Resources (DNR), subject to availability of appropriated funds, to provide funding to certain counties for equipment and services used for residential wildfire risk reduction activities to prevent homelessness.
- Authorizes the DNR to transfer ownership of depreciated firefighting vehicles and related equipment to local fire districts in wildfire prone areas of the state.

HOUSE COMMITTEE ON COMMUNITY DEVELOPMENT, HOUSING & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Ryu, Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin and Sawyer.

Minority Report: Do not pass. Signed by 1 member: Representative Reeves.

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.

Minority Report: Without recommendation. Signed by 1 member: Representative Macri, Vice Chair.

Staff: Kirsten Lee (786-7133).

Background:

The State Homeless Housing Program.

The Homeless Housing and Assistance Act directs the Department of Commerce to develop a statewide homeless housing program. The Department of Commerce must implement the program through a 10-year strategic plan with the goal of reducing homelessness by 50 percent in the state, and within each county by 2015. Local governments must also develop their own 10-year homeless housing plans in coordination with the statewide plan.

State Fire Prevention and Response.

The Department of Natural Resources (DNR) is the lead state entity responsible for forest fire prevention and response on both state-owned and private forest land in Washington. The DNR's role is to assume direct charge of and supervision of all matters pertaining to forest fires. The DNR has the authority to enter into cooperative agreements or contracts with local governments, other state agencies, and the federal government to provide fire services on land they are responsible for protecting or managing. The DNR provides a number of wildfire prevention and preparedness resources to communities at risk for wildfires, including working with local fire districts, conservation districts, and counties through the Firewise Communities Program (Firewise) and connecting residents with the Ready, Set, Go Program (Ready, Set, Go).

Firewise is a public education program, sponsored by the National Fire Protection Association and cosponsored by the United States Forest Service, Department of the Interior, and National Association of State Foresters, that focuses on wildfire preparedness. Firewise emphasizes collaboration between individuals, neighborhoods, and local governments to reduce the risk of wildfire in areas susceptible to such disasters. Ready, Set, Go is administered by the International Association of Fire Chiefs. Ready, Set, Go emphasizes preparedness and situational awareness before and during a wildfire, and is designed to help local fire departments teach individuals who live in high-risk wildfire areas, especially those located or near wildland-urban interface areas, how to best prepare for wildfire threats.

Sale and Exchange of State Surplus Personal Property.

The Department of Enterprise Services (DES) is authorized to sell or exchange personal property that belongs to the state if the agency having custody of the property has no further use of the property. The proceeds of the sale of the property are deposited into the fund from which the property was originally purchased or the State General Fund if the original fund no longer exists.

Certain exceptions and limitations apply to the sale or exchange of personal property by the DES, including providing state agencies the first right of refusal of state surplus personal property before property is made available for sale to the general public. The DES may dispose of surplus property without prior notice to state agencies if the Director of the DES determines the disposal is in the best interest of the state. The DES is required to maintain a

record of any surplus property disposed of including the date of sale, method of disposal, identity of recipient, and approximate value. Additionally, a state agency with surplus property valued at less than \$500 may transfer the surplus property to another state agency without charging fair market value and must maintain adequate records of the transfer to comply with agency inventory procedures and state audit requirements.

Summary of Engrossed Substitute Bill:

Subject to availability of appropriated funds, the DNR must provide funds to counties that are located east of the crest of the Cascade mountain range, share a common border with Canada, and have a population of 100,000 or less for radio communication equipment and their fire protection service providers to provide residential wildfire risk reduction activities. Fire protection service providers include:

- fire departments;
- fire districts;
- emergency management services; and
- regional fire protection service authorities.

Wildfire risk reduction activities include:

- education and outreach;
- technical assistance;
- fuel mitigation; and
- other residential risk reduction measures.

Funds received by these counties are intended to prevent homelessness by strengthening the capacity of local jurisdictions to control risk to life and property that may result from wildfires. The DNR must prioritize funding for qualifying counties serving a disproportionately higher percentage of low-income residents located in areas with high risk of wildfires, and whose fire protection service providers have a shortage of reliable fire service equipment and resources.

The DNR is authorized to transfer ownership of depreciated firefighting vehicles and related equipment to local fire districts in wildfire prone areas of the state, as determined by the DNR and where the median household income is below the state average. The vehicle and equipment transfers are exempt from requirements the DES must follow for the sale, exchange, or disposal of state property, including providing state agencies with the first right of refusal to state surplus property and related recordkeeping requirements.

The DNR must provide notice, at least 10 days prior to a transfer, to the chairs and ranking members of the appropriate committees of the Legislature any transfer of firefighting vehicles or related equipment transferred pursuant to this act.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony:

(In support) In some areas of the state, where there is a need to fund wildfire efforts, there are excess local homeless housing and assistance surcharge funds that could be used for this purpose. There is a need for counties to be able to access these existing funds for this added purpose.

(Opposed) There is a concern that expanding the use of local homeless housing and assistance surcharge funds will divert funding from current homeless programs. In the past, these funds have been used to provide aid to persons displaced from their homes because of wildfires, providing both temporary and long-term housing solutions. There is concern that this legislation will expand the use of these funds beyond homeless prevention and funds will be diverted to more fire specific activities, including fighting fires and clearing brush.

Persons Testifying: (In support) Representative Maycumber, prime sponsor; and Wes McCart, Stevens County Commissioner.

(Opposed) Nick Federici, Washington Low-Income Housing Alliance.

Persons Signed In To Testify But Not Testifying: None.