

SENATE BILL REPORT

ESSB 5198

As Passed Senate, March 2, 2017

Title: An act relating to fire suppression methodologies.

Brief Description: Concerning fire suppression methodologies.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Becker, Warnick, Fain, Bailey and Brown).

Brief History:

Committee Activity: Natural Resources & Parks: 1/24/17, 2/14/17 [DP-WM, DNP].

Ways & Means: 2/21/17, 2/23/17 [DPS, DNP, w/oRec].

Floor Activity:

Passed Senate: 3/02/17, 49-0.

Brief Summary of Engrossed First Substitute Bill

- Requires the Department of Natural Resources to report on the types and efficacy of fire retardants used and make recommendations to the Legislature by December 31, 2017.
- Makes the DNR report subject to appropriation.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Pearson, Chair; Hawkins, Vice Chair; Fortunato.

Minority Report: Do not pass.

Signed by Senators Van De Wege, Ranking Minority Member; McCoy.

Staff: Kelsey Morfitt (786-7407)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5198 be substituted therefor, and the substitute bill do pass.

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.

Signed by Senators Braun, Chair; Brown, Vice Chair; Rossi, Vice Chair; Honeyford, Vice Chair, Capital Budget ; Rolfes, Assistant Ranking Minority Member, Operating Budget; Frockt, Assistant Ranking Minority Member, Capital Budget; Bailey, Becker, Billig, Conway, Darneille, Fain, Hasegawa, Keiser, Miloscia, Padden, Rivers, Schoesler, Warnick and Zeiger.

Minority Report: Do not pass.
Signed by Senator Pedersen.

Minority Report: That it be referred without recommendation.
Signed by Senators Ranker, Ranking Minority Member; Carlyle.

Staff: Jed Herman (786-7346)

Background: Department of Natural Resources (DNR). The Legislature designated DNR as the state's manager for forest fire prevention and suppression activities. In this role, DNR must lead and supervise all matters pertaining to the state's forest fire service.

Fire Retardants. Aerial and ground-applied fire retardants reduce wildfire intensity and rate of spread. Fire retardants include water, chemical sprays, water-enhancing gels, and foams. Fire retardants can pose a risk to human health, wildlife and habitats. Generally, the public is excluded from wildfire areas and not directly affected by fire retardants.

Summary of Engrossed First Substitute Bill: DNR must report on the types and risks of fire retardants used, including long-term fire retardants, foams, and gels. Specifically, this report must include best practices for fire retardants used at the national level. Additionally, the report must summarize public outreach and education regarding these fire suppressants, and analyze fire retardant chemicals and health and natural resources impacts.

Furthermore, DNR must recommend any legislative actions necessary to improve the protection of structures from wildfires. DNR has until December 31, 2017, to provide this report and recommendations to the Legislature.

The DNR report is subject to appropriation.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Original Bill (Natural Resources & Parks):
PRO: This bill helps the public protect their homes from wildfires by applying a fire retardant foam to their home while waiting for a fire fighter response.

OTHER: This bill is achievable, but it would take a lot of staff work; especially best practices of retardants and structure protection.

Persons Testifying (Natural Resources & Parks): PRO: Senator Randi Becker, Prime Sponsor.

OTHER: Loren Torgerson, Dept. Natural Resources, Wildfire Policy Advisor.

Persons Signed In To Testify But Not Testifying (Natural Resources & Parks): No one.

Staff Summary of Public Testimony on Original Bill (Ways & Means): *The committee recommended a different version of the bill than what was heard.* PRO: Information is needed from the DNR to help homeowners affected by wildfires, similar to what homeowners have in New Mexico.

Persons Testifying (Ways & Means): PRO: Senator Randi Becker, Prime Sponsor.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.