

# HOUSE BILL REPORT

## HB 2104

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### As Reported by House Committee On:

Natural Resources  
Appropriations

**Title:** An act relating to funding for forest fire protection.

**Brief Description:** Providing for an increase in forest fire protection funds.

**Sponsors:** Representatives Rockefeller (co-prime sponsor), Sump (co-prime sponsor), Pearson and Doumit.

### Brief History:

#### Committee Activity:

Natural Resources: 2/19/01 [DP];

Appropriations: 3/29/01, 4/2/01 [DPS].

#### Brief Summary of Substitute Bill

- Declares legislative intent that the costs of fire protection for forest lands be shared between forest landowner assessments and the state.
- Increases the assessment for fire protection for parcels of land over 50 acres by three cents for every acre over 50 acres.

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### HOUSE COMMITTEE ON NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 11 members: Representatives Doumit, Democratic Co-Chair; Sump, Republican Co-Chair; Pearson, Republican Vice Chair; Rockefeller, Democratic Vice Chair; G. Chandler, Edwards, Eickmeyer, Ericksen, Jackley, Murray and Pennington.

**Staff:** Bill Lynch (786-7092).

### Background:

Owners of forest land are required to adequately protect against the spread of fire from or onto their property during the fire season. The Department of Natural Resources (DNR) is required to provide fire protection for forest landowners who are unable to provide

their own fire protection. The DNR provides forest fire protection to much of the forest land in the state, and may contract out fire protection services with local governments.

The DNR funds the cost of providing forest fire protection to forest landowners through forest protection assessments and state general fund appropriations. The annual forest protection assessment imposed on a forest landowner in a forest protection zone for each parcel of land is a flat assessment of \$14.50, plus 22 cents per acre for every acre over 50 acres.

A 1997 study by TriData of the state fire program for forest lands compared the amount of funding received for fire protection by fund source among several western states. This study found that Washington state contributes the smallest percentage of funds for fire protection from its state general fund, and the highest percentage of funds for fire protection from landowner assessments. This study considered it imperative that a more equitable split between the state general fund and landowner assessments be established for forest protection. Concerns were also raised in the study about the state's ability to provide adequate fire protection because of inadequate resources.

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**Summary of Bill:**

The Legislature declares it the policy of the state to equitably share the costs of fire protection between the forest fire protection assessment account and an equivalent state match. The Legislature also declares that sufficient funds must be committed to the forest fire protection program so that the recommendations of the TriData study can be implemented on an equitable basis by the end of the 2005-07 biennium.

The assessment for forest protection is increased for parcels of land that exceed 50 acres from a flat fee plus 22 cents per acre for every acre over 50 acres, to a flat fee plus 25 cents per acre for every acre over 50 acres. This 3 cent increase in landowner assessments is contingent upon the state providing its equitable share of forest fire protection. If the state fails to fund its equitable share, the 3 cent increase in landowner assessments is null and void for the time period that the state does not fund its equitable share.

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**Appropriation:** None.

**Fiscal Note:** Requested on February 14, 2001.

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

**Testimony For:** This legislation is consistent with what the stakeholders expressed during the meetings with DNR. This will allow for implementation of the TriData

recommendations. It is important to provide adequate funding up front so small fires can be kept small, and larger fires can be managed better. Local fire districts do not have the resources to respond adequately without assistance from DNR. It is important to keep this issue alive and provide the needed upgrades to DNR's ability to provide fire protection.

**Testimony Against:** None.

**Testified:** (In support) Randy Acker, Department of Natural Resources; Bill Garvin, Washington Forest Protection Association; and Jim Broman, Washington State Association of Fire Chiefs.

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## **HOUSE COMMITTEE ON APPROPRIATIONS**

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 31 members: Representatives Sehlin, Republican Co-Chair; H. Sommers, Democratic Co-Chair; Barlean, Republican Vice Chair; Doumit, Democratic Vice Chair; Lisk, Republican Vice Chair; Alexander, Benson, Boldt, Buck, Clements, Cody, Cox, Dunshee, Fromhold, Grant, Kagi, Keiser, Kenney, Kessler, Lambert, Linville, Mastin, McIntire, Mulliken, Pearson, Pflug, Ruderman, D. Schmidt, Schual-Berke, Talcott and Tokuda.

**Staff:** Jeff Olsen (786-7157).

### **Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Natural Resources:**

The intent section is modified to declare that it is the state's intent that the costs of fire protection be equitably shared between landowners and state contributions. The substitute bill also clarifies that in recognition of increases in landowner assessments, the state intends to increase the state's share for forest protection. The substitute bill removes specific budget funding targets for the state share of forest fire protection costs. Additionally, a null and void clause is added, making the bill null and void unless funded in the budget.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed. However, the bill is null and void if not funded in the budget.

**Testimony For:** The needs for fire protection in the state have been identified in an independent study of the fire program at the Department of Natural Resources. With the

drought, conditions are set up for a catastrophic fire season. Prevention is more cost effective than suppression. Investments in readiness and training can provide five times the returns of the amount invested. The bill provides an opportunity for a public-private partnership to address fire protection.

**Testimony Against:** None.

**Testified:** Representative Sump, co-prime sponsor; Representative Rockefeller, co-prime sponsor; Dan Coyne, Simpson Timber Corporation; and Andrea Howell, Weyerhaeuser.