

SENATE BILL REPORT

SB 6489

As Reported by Senate Committee On:
Natural Resources & Parks, February 4, 2016

Title: An act relating to fire suppression volunteers.

Brief Description: Concerning fire suppression volunteers.

Sponsors: Senators Becker, Liias, Rivers, Bailey, Parlette, Braun, Angel, Brown, Schoesler, Warnick, Honeyford, Dammeier, Pearson, Billig, King and Hewitt.

Brief History:

Committee Activity: Natural Resources & Parks: 2/03/16, 2/04/16 [DPS-WM].

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: That Substitute Senate Bill No. 6489 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Pearson, Chair; Danel, Vice Chair; Jayapal, Ranking Member; Chase, Fraser, Hewitt and Warnick.

Staff: Bonnie Kim (786-7316)

Background: Wildland Fire Suppression. Landowners and people engaged in activity on land who have knowledge of a wildland fire have a duty to make every reasonable effort to suppress the wildland fire regardless of the origin or spread of the wildland fire. If a wildland fire occurs in a land clearing, right-of-way clearing, or landowner operation, it must be fought to the full limit of available employees and equipment. If a person does not suppress a wildland fire, the Department of Natural Resources (DNR) must suppress it. DNR may coordinate with governmental agencies and tribes and contract with private corporations for the protection and development of the forest lands within the state.

Volunteers of Nonprofit or Governmental Entities, Generally. Volunteers are defined as individuals performing services for a nonprofit organization or a governmental entity who do not typically receive compensation, other than reasonable reimbursement or allowance for expenses actually incurred, or any other thing of value, typically in excess of \$500 per year. Volunteers are generally not personally liable for harm caused by an act or omission of the volunteer on behalf of an entity if:

- the volunteer was acting within the scope of the volunteer's responsibilities;

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- the volunteer was properly licensed, certified, or authorized by the appropriate authorities for the activities; and
- the harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the volunteer.

Summary of Bill (Recommended Substitute): DNR must compile and maintain a list of qualified wildland fire suppression volunteers. To be listed, volunteers must have adequate training and qualifications, often referred to as "red cards" or "blue cards", and register with DNR. DNR may require proof of adequate training during the free registration process. Volunteers will be dispatched through coordinated resource ordering systems and may not self-dispatch. DNR must share the volunteer list with county authorities, emergency management departments, and local fire districts.

DNR must also provide all necessary safety and fire suppression equipment at no cost to each volunteer or offer to reimburse any volunteer who purchases new equipment suitable for the kind of volunteer work to be performed. If the volunteer accepts reimbursement, he or she must surrender the equipment for which he or she was reimbursed when the volunteer period comes to an end. DNR must maintain its inventory of safety and fire suppression equipment for volunteers in good condition and conduct periodic inspections to ensure safety. DNR must store the safety and fire suppression equipment in a geographic area and manner such that it is easily distributed to volunteers without delay when needed for fire suppression.

EFFECT OF CHANGES MADE BY NATURAL RESOURCES & PARKS COMMITTEE (Recommended Substitute):

- Adds a requirement that volunteers register with DNR and that DNR may require proof of adequate training and relevant fire-suppression qualifications.
- Clarifies that volunteers will be dispatched through coordinated resource ordering systems and may not self-dispatch.

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 on Original Bill: PRO: This bill is to get our people who are qualified to fight fire and want to volunteer out there to fight fires. Personal protection gear costs about \$1000. The costs of flying firefighters in from around the country and the world far exceed the fiscal note.

CON: We already have a lot of lists. One day of training is not enough to get involved in fire suppression. We don't have enough personal protection gear to distribute to volunteers.

OTHER: DNR appreciates volunteer support, especially local volunteer fire departments. DNR understands that the prime sponsor intends to include qualified and trained individuals in this bill. They should also be dispatched through our coordinated system and not self-dispatching.

Persons Testifying on Original Bill: PRO: Senator Becker, prime sponsor.

CON: Andrew Schaffran, WA. ST. Fire Fighters' Association.

OTHER: Mary Verner, Department of Natural Resources.

Persons Signed In To Testify But Not Testifying on Original Bill: No one.