

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1917

Chapter 113, Laws of 1995

(partial veto)

54th Legislature
1995 Regular Session

Forest fire suppression equipment--Contracting out for

EFFECTIVE DATE: 7/23/95

Passed by the House March 13, 1995
Yeas 95 Nays 1

CLYDE BALLARD

**Speaker of the
House of Representatives**

Passed by the Senate April 7, 1995
Yeas 37 Nays 0

JOEL PRITCHARD

President of the Senate

Approved April 19, 1995, with the
exception of section 4, which is
vetoed.

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of
the House of Representatives of the
State of Washington, do hereby certify
that the attached is **SUBSTITUTE HOUSE
BILL 1917** as passed by the House of
Representatives and the Senate on the
dates hereon set forth.

TIMOTHY A. MARTIN

Chief Clerk

FILED

April 19, 1995 - 3:20 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1917

Passed Legislature - 1995 Regular Session

State of Washington

54th Legislature

1995 Regular Session

By House Committee on Natural Resources (originally sponsored by Representatives Pennington, Fuhrman, Thompson, Goldsmith, McMorris and Kremen)

Read first time 02/27/95.

1 AN ACT Relating to emergency response services; amending RCW
2 76.04.145; adding new sections to chapter 76.04 RCW; and creating a new
3 section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that it is frequently
6 in the best interest of the state to utilize fire suppression equipment
7 from private vendors whenever possible in responding to incidents
8 involving wildfires on department-protected lands. It is the intent of
9 the legislature to encourage the department of natural resources to
10 utilize kitchen, shower, and other fire suppression equipment from
11 private vendors as allowed in RCW 76.04.015(4)(b), when such
12 utilization will be most effective and efficient.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 76.04 RCW
14 to read as follows:

15 (1) The department shall, by June 1 of each year, establish a list
16 of fire suppression equipment, such as portable showers, kitchens,
17 water tanks, dozers, and hauling equipment, provided by the department

1 so that the cost by unit or category can be determined and can be
2 compared to the expense of utilizing private vendors.

3 (2) The department shall establish a roster of quotes by vendors
4 who are able to provide equipment to respond to incidents involving
5 wildfires on department-protected lands. The department shall use
6 these quotes from private vendors to make a comparison with the costs
7 established in subsection (1) of this section. The department shall
8 utilize the most effective and efficient resource available for
9 responding to wildfires.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 76.04 RCW
11 to read as follows:

12 Before constructing or purchasing any equipment listed in section
13 2(1) of this act for wildfire suppression, the department shall compare
14 the per use cost of the equipment to be purchased or constructed with
15 the per use cost of utilizing private equipment. If utilizing private
16 equipment is more effective and efficient, the department may not
17 construct or purchase the equipment but shall utilize the equipment
18 from the lowest responsive bidder.

19 **Sec. 4. RCW 76.04.145 and 1986 c 100 s 15 are each amended to*
20 *read as follows:*

21 *(1) There is hereby created a forest fire advisory board,*
22 *consisting of (~~seven~~) eight members who shall represent private and*
23 *public forest landowners, private contractors of fire suppression*
24 *equipment, supplies, and services, and other interested segments of the*
25 *public. The members shall be appointed by the commissioner of public*
26 *lands and shall serve at the commissioner's pleasure, without*
27 *compensation.*

28 *(2) The duties of the forest fire advisory board shall be strictly*
29 *advisory and shall include, but not necessarily be limited to:*

30 *(a) Reviewing forest fire prevention and suppression policies of*
31 *the department;*

32 *(b) Monitoring expenditures from and recoveries for the landowner*
33 *contingency forest fire suppression account;*

34 *(c) Recommending appropriate assessments and allocations for*
35 *establishment and replenishment of the account based upon the*
36 *proportionate expenditures necessitated by participating landowner*
37 *operations in western and eastern Washington;*

1 (d) *Recommending to the department appropriate rules or amendments*
2 *to existing rules and reviewing nonemergency rules affecting the*
3 *protection of forest lands from fire, including reasonable alternative*
4 *means or procedures for the abatement, isolation, or reduction of*
5 *forest fire hazards.*

6 (3) *Except where an emergency exists, all rules concerning matters*
7 *listed in subsection (2)(d) of this section shall be adopted by the*
8 *department after consultation with the forest fire advisory board.*

9 *Sec. 4 was vetoed. See message at end of chapter.

Passed the House March 13, 1995.

Passed the Senate April 7, 1995.

Approved by the Governor April 19, 1995, with the exception of
certain items which were vetoed.

Filed in Office of Secretary of State April 19, 1995.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 4,
3 Substitute House Bill No. 1917 entitled:

4 "AN ACT Relating to emergency response services;"

5 Substitute House Bill No. 1917 requires the Department of Natural
6 Resources to contract privately for the provision of certain fire
7 suppression equipment when such utilization is efficient and effective.
8 This is an appropriate policy direction and, I am advised by the
9 Commissioner of Public Lands, is in keeping with current departmental
10 practice.

11 Section 4 adds a representative of private contractors of fire
12 suppression equipment, supplies, and service to the Forest Fire
13 Advisory Board. This board has the primary responsibility to review
14 expenditures from, and recommend increases to, the Landowner
15 Contingency Fund. This fund is established through a fee on
16 landowners. Representation by this interest group is inconsistent with
17 the duties of the Forest Fire Advisory Board and is an inappropriate
18 forum for advice from equipment contractors. Moreover, adding this
19 representative would unnecessarily increase board costs.

20 For these reasons, I have vetoed section 4 of Substitute House Bill
21 No. 1917.

22 With the exception of section 4, Substitute House Bill No. 1917 is
23 approved."

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