

HB 2733 - S COMM AMD

By Committee on Agriculture, Water, Natural Resources & Parks

OUT OF ORDER 03/02/2018

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 76.04
4 RCW to read as follows:

5 (1) The department must create a prescribed burn manager
6 certification program for those who practice prescribed burning in
7 the state. The certification program must include training on all
8 relevant aspects of prescribed fire in Washington including, but not
9 limited to, the following: Legal requirements; safety; weather; fire
10 behavior; smoke management; prescribed fire techniques; public
11 relations; planning; and contingencies.

12 (2) The department may not require certification under the
13 program created under subsection (1) of this section for burn permit
14 approval under this chapter. Nothing in this section may be construed
15 as creating a mandatory prescribed burn manager certification
16 requirement to conduct prescribed burning in Washington.

17 (3) No civil or criminal liability may be imposed by any court,
18 the state, or its officers and employees, on a prescribed burn
19 manager certified under the program created under subsection (1) of
20 this section, for any direct or proximate adverse impacts resulting
21 from a prescribed fire conducted under the provisions of this chapter
22 except upon proof of gross negligence or willful or wanton
23 misconduct.

24 (4) The department may adopt rules to create the prescribed burn
25 manager certification program and to set periodic renewal criteria.
26 The rules should be developed in consultation with prescribed burn
27 programs in other states. The department may also adopt rules to
28 establish a decertification process for certified prescribed burn
29 managers who commit a violation under this chapter or rules adopted
30 under this chapter. The department may, in its own discretion,
31 develop an equivalency test for experienced prescribed burn managers.

1 (5) Certified prescribed burn managers may be issued burn permits
2 with modified requirements in recognition of their training and
3 skills. In such cases, normal smoke management and fire risk
4 parameters apply."

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5 On page 1, line 2 of the title, after "resources;" strike the
6 remainder of the title and insert "and adding a new section to
7 chapter 76.04 RCW."

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