

SENATE BILL REPORT

ESHB 1489

As Passed Senate, March 30, 2017

Title: An act relating to private wildland fire suppression contractors.

Brief Description: Concerning private wildland fire suppression contractors.

Sponsors: House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Kretz, Blake and Short).

Brief History: Passed House: 2/27/17, 96-0.

Committee Activity: Natural Resources & Parks: 3/14/17, 3/21/17 [DP].

Floor Activity:

Passed Senate: 3/30/17, 49-0.

Brief Summary of Bill

- Requires the Department of Natural Resources (DNR) to recruit qualified fire suppression contractors.
- Requires DNR to enter into preemptive contracts with contractors that own fire-fighting equipment.
- Requires DNR to report the Legislature by November 30, 2018.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass.

Signed by Senators Pearson, Chair; Hawkins, Vice Chair; Van De Wege, Ranking Minority Member; Fortunato and McCoy.

Staff: Kelsey Morfitt (786-7407)

Background: 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.

DNR maintains a statewide list of available and qualified contractors. When needed, DNR provides onsite training and equipment to qualified fire suppression contractors.

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.

Firefighting contractors must possess adequate training and qualifications. This requires a red card, which is an on-scene incident qualification, or a blue card, which is a letter documenting the firefighter's qualifications such as fitness exam results or other safety trainings completed.

DNR preemptively contracts with landowners to use local firefighting equipment. This equipment can include bulldozers, fallers, fuel tenders, potable water tenders, buses, and more.

Summary of Bill: DNR must:

- recruit qualified fire suppression contractors to add to its statewide list of available contractors;
- notify contractors whenever it holds blue-card training; and
- enter into preemptive agreements with contractors, as well landowners, to use local firefighting equipment.

Emergency dispatchers and local authorities must have access to the list of qualified contractors. DNR cannot be sued for adverse impacts from training or providing equipment, unless DNR is grossly negligent or conducts willful or wanton misconduct.

DNR must consult with the Wildland Fire Advisory Committee and report to the Legislature regarding the success or failure of preemptive contracts. This report and recommendations on how to improve the preemptive contracting system with private contractors must be submitted by November 30, 2018.

Appropriation: None.

Fiscal Note: Available.

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

Effective Date: The bill contains an emergency clause and takes effect on June 30, 2017.

Staff Summary of Public Testimony: PRO: Working with contractors helps the state provide an immediate response to wildfires. This program gives another task and new direction to the Wildland Fire Advisory Committee.

Persons Testifying: PRO: Representative Jacquelin Maycumber; Jason Callahan, WA Forest Protection Association; Tom Davis, WA Farm Bureau & WA Cattlemen's Association.

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