

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2733

65th Legislature
2018 Regular Session

Passed by the House March 6, 2018
Yeas 98 Nays 0

Speaker of the House of Representatives

Passed by the Senate March 2, 2018
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2733** as passed by House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 2733

AS AMENDED BY THE SENATE

Passed Legislature - 2018 Regular Session

State of Washington **65th Legislature** **2018 Regular Session**

By Representatives Orcutt, Chapman, Maycumber, Tharinger, Dent, Kretz, Blake, Fitzgibbon, and Muri

Read first time 01/15/18. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to establishing a prescribed burn certification
2 program at the department of natural resources; and adding a new
3 section to chapter 76.04 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 76.04
6 RCW to read as follows:

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

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

20 (3) No civil or criminal liability may be imposed by any court,
21 the state, or its officers and employees, on a prescribed burn

1 manager certified under the program created under subsection (1) of
2 this section, for any direct or proximate adverse impacts resulting
3 from a prescribed fire conducted under the provisions of this chapter
4 except upon proof of gross negligence or willful or wanton
5 misconduct.

6 (4) The department may adopt rules to create the prescribed burn
7 manager certification program and to set periodic renewal criteria.
8 The rules should be developed in consultation with prescribed burn
9 programs in other states. The department may also adopt rules to
10 establish a decertification process for certified prescribed burn
11 managers who commit a violation under this chapter or rules adopted
12 under this chapter. The department may, in its own discretion,
13 develop an equivalency test for experienced prescribed burn managers.

14 (5) Certified prescribed burn managers may be issued burn permits
15 with modified requirements in recognition of their training and
16 skills. In such cases, normal smoke management and fire risk
17 parameters apply.

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