

for that purpose shall be repaid to the county by the district if formed or reorganized.

Passed the House April 2, 1981.

Passed the Senate April 21, 1981.

Approved by the Governor May 14, 1981.

Filed in Office of Secretary of State May 14, 1981.

CHAPTER 170

[House Bill No. 707]

WATER SUPPLY FACILITIES (REFERENDUM 38)—1980 BOND ISSUE— APPROPRIATION

AN ACT Relating to domestic, municipal, and industrial water supply facilities; making an appropriation; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is appropriated from the state and local improvements revolving account—water supply facilities (Referendum 38) of the general fund, to the department of social and health services for the biennium ending June 30, 1981, the sum of ten million dollars, or so much thereof as may be necessary, to administer and carry out the purposes of RCW 43.99E.020 and 43.99E.025. This appropriation is made out of the proceeds of bonds issued under chapter 43.99E RCW (Referendum 38).

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House April 2, 1981.

Passed the Senate April 21, 1981.

Approved by the Governor May 14, 1981.

Filed in Office of Secretary of State May 14, 1981.

CHAPTER 171

[House Bill No. 727]

FOREST LAND FIRE PROTECTION—ASSESSMENT RATE

AN ACT Relating to assessment of forest lands for fire protection and suppression purposes; amending section 1, chapter 102, Laws of 1977 ex. sess. and RCW 76.04.360; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 1, chapter 102, Laws of 1977 ex. sess. and RCW 76.04.360 are each amended to read as follows:

If any owner of forest land neglects or fails to provide adequate fire protection therefor as required by RCW 76.04.350, the department shall

provide such protection therefor, notwithstanding the provisions of RCW ((76.04.520)) 76.04.515, at a cost to the owner of not to exceed ((eighteen)) twenty cents an acre per year on lands west of the summit of the Cascade mountains and ((fourteen)) sixteen cents an acre per year on lands east of the summit of the Cascade mountains.

For the purpose of chapter 76.04 RCW, the supervisor may divide the forest lands of the state, or any part thereof, into districts, for patrol and assessment purposes, may classify lands according to the character of timber prevailing, and the fire hazard existing, and place unprotected lands under the administration of the proper district. Such cost must be justified by a showing of budgets on demand of twenty-five owners of forest land in the county concerned at public hearing. Any amounts paid or contracted to be paid by the supervisor of the department of natural resources for this purpose from any funds at his disposal shall be a lien upon the property patrolled and protected, and unless reimbursed by the owner within ten days after October 1st of the year in which they were incurred, on which date the supervisor of the department of natural resources shall be prepared to make statement thereof upon request to any forest owner whose own protection has not been previously approved by him as adequate, shall be reported by the supervisor of the department of natural resources to the assessor of the county in which the property is situated who shall extend the amounts upon the tax rolls covering the property, or the county assessor ((may)) shall upon authorization from the supervisor of the department of natural resources levy the forest patrol assessment against the amounts of unimproved land as shown in each ownership on the county assessor's records and the assessor may then segregate on his records to provide that the improved land and improvements thereon carry the millage levy designed to support the rural fire protection districts as provided for in chapter 52.04 RCW.

The amounts assessed shall be collected at the time, in the same manner, by the same procedure, and with the same penalties attached that the next general state and county taxes on the same property are collected, except that errors in assessments may be corrected at any time by the supervisor of the department of natural resources certifying them to the treasurer of the county in which the land involved is situated. Upon the collection of such assessments the county treasurer shall transmit them to the supervisor of the department of natural resources to be applied against expenses incurred in carrying out the provisions of this section.

The supervisor of the department of natural resources shall ((include in)) add to the assessment a sum not to exceed ((one-half of)) one cent per acre, to cover the necessary and reasonable ((cost of office and clerical work incurred)) administrative costs incurred by the department in the enforcement of these provisions. He may also expend any sums collected from

owners of forest lands or received from any other source for necessary (~~office and clerical expense~~) administrative costs in connection with the enforcement of RCW 76.04.370.

When land against which forest patrol assessments are outstanding is acquired for delinquent taxes and sold at public auction, the state shall have a prior lien on the proceeds of sale over and above the amount necessary to satisfy the county's delinquent tax judgment, and the county treasurer in case the proceeds of sale exceed the amount of the delinquent tax judgment shall forthwith remit to the supervisor of the department of natural resources the amount of the outstanding patrol assessments.

All public bodies owning or administering forest lands shall pay the forest patrol assessments provided in this section and the special forest fire suppression account assessments under RCW 76.04.515. The forest patrol assessments and special forest fire suppression account assessments shall be payable by public bodies from any available funds within thirty days following receipt of the written notice from the department which is given after October 1st of the year in which the protection was provided. Unpaid assessments shall not be a lien against the publicly owned land but shall constitute a debt by the public body to the department and shall be subject to interest charges in the same amount as other unpaid forest patrol assessments.

A public body, having failed to previously pay forest patrol assessments required of it by this section, which fails to suppress a fire on or originating from forest lands owned or administered by it shall be liable for the costs of suppression incurred by the department or its agent and shall not be entitled to reimbursement of any costs incurred by the public body in the suppression activities.

The supervisor of the department of natural resources shall furnish the surety company bond under RCW 43.30.170(6), conditioned for the faithful performance of his duties and for a faithful accounting for all sums received and expended thereunder, which bond shall be approved by the attorney general.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, shall take effect immediately, and the assessments provided for in section 1 of this amendatory act shall be payable in 1982 and thereafter.

Passed the House April 24, 1981.

Passed the Senate April 21, 1981.

Approved by the Governor May 14, 1981.

Filed in Office of Secretary of State May 14, 1981.