

against any party who has, prior to the effective date of this amendatory act, entered into a release, covenant not to sue, covenant not to enforce judgment, or similar agreement with the claimant.

NEW SECTION. Sec. 16. LEGISLATIVE DIRECTIVE. (1) Sections 2 through 7 of this amendatory act are added to Title 7 RCW as a new chapter thereof.

(2) Sections 8 and 9 and 11 through 15 of this amendatory act are added to chapter 4.22 RCW.

NEW SECTION. Sec. 17. REPEALER. Section 1, chapter 138, Laws of 1973 1st ex. sess. and RCW 4.22.010 are each hereby repealed.

NEW SECTION. Sec. 18. SEVERABILITY. If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the Senate March 3, 1981.

Passed the House April 9, 1981.

Approved by the Governor April 17, 1981.

Filed in Office of Secretary of State April 17, 1981.

CHAPTER 28

[Senate Bill No. 3168]

FOREST FIRE SUPPRESSION—ASSESSMENT RATE—ACCOUNT BALANCE

AN ACT Relating to assessment of forest lands for fire suppression purposes; and amending section 8, chapter 207, Laws of 1971 ex. sess. as last amended by section 11, chapter 67, Laws of 1979 ex. sess. and RCW 76.04.515.

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

Section 1. Section 8, chapter 207, Laws of 1971 ex. sess. as last amended by section 11, chapter 67, Laws of 1979 ex. sess. and RCW 76.04.515 are each amended to read as follows:

There is created a landowner contingency forest fire suppression account which shall be a separate account in the general fund. This account shall be for the purpose of paying emergency fire costs incurred or approved by the department in the suppression of forest fires. When a determination is made that the fire was started by other than a participating landowner operation, moneys expended from this account in the suppression of such fire shall be recovered from such general fund appropriations as may be available for emergency fire suppression costs. Moneys spent from this account shall be by appropriation. The department shall transmit to the state treasurer for deposit in the landowner contingency forest fire suppression account any moneys paid out of said account which are later recovered, less reasonable costs of recovery, which moneys may be expended for purposes set forth herein during the current biennium, without reappropriation.

This account shall be established and renewed by a special forest fire suppression account assessment paid by participating forest landowners at rates to be established by the department, but not to exceed ~~((five))~~ ten cents per acre per year for such period of years as may be necessary to establish and thereafter reestablish a balance in said account of ~~((one))~~ two million dollars. The assessments with respect to forest lands in western and eastern Washington may differ to equitably distribute the assessment based on emergency fire suppression cost experience necessitated by participating landowner operations. Amounts assessed for this account shall be a lien upon the forest lands with respect to which the assessment is made, and may be collected as directed by the department in the same manner as forest patrol assessments. This account shall be held by the state treasurer who is authorized to invest so much of said account as is not necessary to meet current needs. Any interest earned on moneys from said account shall be deposited in and remain a part of the account, and shall be computed as part of the same in determining the balance thereof. Interfund loans to and from this account are authorized at the then current rate of interest as determined by the state treasurer, provided that the effect of the loan is considered for purposes of determining the assessments. Payment of emergency costs from this account shall in no way restrict the right of the department to recover costs pursuant to RCW 76.04.390 as now or hereafter amended, or other laws.

When the department determines that a forest fire was started in the course of or as a result of a participating landowner operation, it shall notify the forest fire advisory board of such determination. Such determination shall be final, unless, within ninety days of such notification, the forest fire advisory board or any interested party, serves a request for a hearing before the department. Such hearing shall constitute a contested case under chapter 34.04 RCW and any appeal therefrom shall be to the superior court of Thurston county.

Passed the Senate March 10, 1981.

Passed the House April 9, 1981.

Approved by the Governor April 17, 1981.

Filed in Office of Secretary of State April 17, 1981.

CHAPTER 29

[Engrossed Senate Bill No. 3170]

BOND ANTICIPATION NOTES—REDEMPTION—INTEREST—PAYMENT, PLEDGE, ENFORCEMENT

AN ACT Relating to the support of state government; amending section 5, chapter 184, Laws of 1971 ex. sess. and RCW 39.42.050; creating a new section; and declaring an emergency.

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