

SSB 5638 - H COMM AMD

By Committee on Local Government & Housing

NOT CONSIDERED 04/26/2009

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

3 "Sec. 1. RCW 52.12.031 and 1995 c 369 s 65 are each amended to
4 read as follows:

5 (1) Any fire protection district organized under this title may:

6 ~~((1))~~ (a) Lease, acquire, own, maintain, operate, and provide
7 fire and emergency medical apparatus and all other necessary or proper
8 facilities, machinery, and equipment for the prevention and suppression
9 of fires, the providing of emergency medical services and the
10 protection of life and property;

11 ~~((2))~~ (b) Lease, acquire, own, maintain, and operate real
12 property, improvements, and fixtures for housing, repairing, and
13 maintaining the apparatus, facilities, machinery, and equipment
14 described in subsection (1) of this section;

15 ~~((3))~~ (c) Contract with any governmental entity under chapter
16 39.34 RCW or private person or entity to consolidate, provide, or
17 cooperate for fire prevention protection, fire suppression,
18 investigation, and emergency medical purposes. In so contracting, the
19 district or governmental entity is deemed for all purposes to be acting
20 within its governmental capacity. This contracting authority includes
21 the furnishing of fire prevention, fire suppression, investigation,
22 emergency medical services, facilities, and equipment to or by the
23 district, governmental entity, or private person or entity;

24 ~~((4))~~ (d) Encourage uniformity and coordination of fire
25 protection district operations. The fire commissioners of fire
26 protection districts may form an association to secure information of
27 value in suppressing and preventing fires and other district purposes,
28 to hold and attend meetings, and to promote more economical and
29 efficient operation of the associated fire protection districts. The
30 commissioners of fire protection districts in the association shall

1 adopt articles of association or articles of incorporation for a
2 nonprofit corporation, select a chairman, secretary, and other officers
3 as they may determine, and may employ and discharge agents and
4 employees as the officers deem convenient to carry out the purposes of
5 the association. The expenses of the association may be paid from
6 funds paid into the association by fire protection districts:
7 PROVIDED, That the aggregate contributions made to the association by
8 a district in a calendar year shall not exceed two and one-half cents
9 per thousand dollars of assessed valuation;

10 ~~((+5))~~ (e) Enter into contracts to provide group life insurance
11 for the benefit of the personnel of the fire districts;

12 ~~((+6))~~ (f) Perform building and property inspections that the
13 district deems necessary to provide fire prevention services and pre-
14 fire planning within the district and any area that the district serves
15 by contract in accordance with RCW 19.27.110: PROVIDED, That codes
16 used by the district for building and property inspections shall be
17 limited to the applicable codes adopted by the state, county, city, or
18 town that has jurisdiction over the area in which the property is
19 located. A copy of inspection reports prepared by the district shall
20 be furnished by the district to the appropriate state, county, city, or
21 town that has jurisdiction over the area in which the property is
22 located: PROVIDED, That nothing in this subsection shall be construed
23 to grant code enforcement authority to a district. This subsection
24 shall not be construed as imposing liability on any governmental
25 jurisdiction;

26 ~~((+7))~~ (g) Determine the origin and cause of fires occurring
27 within the district and any area the district serves by contract. In
28 exercising the authority conferred by this subsection, the fire
29 protection district and its authorized representatives shall comply
30 with the provisions of RCW ~~((48.48.060))~~ 43.44.050;

31 ~~((+8))~~ (h) Perform acts consistent with this title and not
32 otherwise prohibited by law.

33 (2)(a) Any contract for fire protection and/or emergency medical
34 services between a fire protection district and (i) a government entity
35 under RCW 52.30.020; (ii) a private person; or (iii) a commercial
36 entity must provide for adequate compensation.

37 (b) The adequate compensation requirement in (a) of this subsection
38 does not apply to: Agreements existing on the effective date of this

1 section; mutual aid agreements entered into by fire protection
2 districts; agreements between fire protection districts and the
3 department of natural resources; schools; libraries; or where the
4 compensation requirements of the agreement are defined elsewhere in
5 statute.

6 (c) "Adequate compensation" means the person or entity receiving
7 the services must pay the same amount that would be collected by the
8 fire district if the property was subject to the fire district levy.

9 (3) A fire protection district may not provide fire service
10 protection or emergency medical services to any government entity or
11 private person or commercial entity outside of their fire district
12 without the express consent of the fire district, if any, in which the
13 property is located."

14 Correct the title.

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