

HOUSE BILL REPORT

SSB 5638

As Reported by House Committee On:
Local Government & Housing

Title: An act relating to fire protection district contracts.

Brief Description: Concerning fire protection district contracts.

Sponsors: Senate Committee on Government Operations & Elections (originally sponsored by Senators Swecker, Haugen, Hewitt, Schoesler and Shin).

Brief History:

Committee Activity:

Local Government & Housing: 3/23/09, 3/26/09 [DPA].

**Brief Summary of Substitute Bill
(As Amended by House)**

- Requires that a contract between a fire protection district and another public or private entity contain provisions ensuring that the district receive adequate compensation for any services rendered.
- Prohibits a fire protection district from providing fire service protection for property outside the boundary of the district without the express consent of the fire protection district where the property is located.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: Do pass as amended. Signed by 10 members: Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; Hinkle, Miloscia, Short, Springer, Upthegrove, White and Williams.

Minority Report: Do not pass. Signed by 1 member: Representative Cox, Assistant Ranking Minority Member.

Staff: Thamas Osborn (786-7129)

Background:

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.

Fire protection districts (districts) are created to provide fire prevention, fire suppression, and emergency medical services within a district's boundaries. Districts are governed by a board of commissioners consisting of either three or five members. A district shares many of the powers and authorities of other municipal corporations, including those relating to taxation, eminent domain, and the authority to enter into contracts. Districts finance their activities and facilities by imposing regular property taxes, excess voter-approved property tax levies, and benefit charges.

Summary of Amended Bill:

Any contract between a district and another public or private entity must ensure that the district receive adequate compensation for any services rendered by the district. These services include both emergency medical services as well as fire protection. This contractual requirement is prospective only and does not apply to agreements existing on or before the effective date of the act.

"Adequate compensation" means that the person or entity receiving the services must pay the same amount that would be collected by the district if the property were subject to a fire district levy.

This adequate compensation requirement does not apply to mutual aid agreements, agreements between the district and the Department of Natural Resources, schools, libraries, or where compensation requirements are defined elsewhere in statute.

A district may not provide emergency medical services or fire protection for any public or private entity or person located on property outside the boundary of the district without the express consent of the other fire protection district, if any, where the property is located.

Amended Bill Compared to Original Bill:

The amended bill makes the following changes to the substitute Senate bill:

- clarifies that the act applies to contracts pertaining to emergency medical services as well as fire protection;
 - adds a statutory reference clarifying the nature of the contractual relationship that may exist between a fire protection district and a state or local governmental entity with respect to the provision of fire protection services;
 - establishes that the provisions of the act do not apply to agreements existing on the effective date of the act; and
 - prohibits a fire protection district from providing emergency medical services to any entity within another fire protection district without the express consent of the district in which the entity is located.
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Appropriation: None.

Fiscal Note: Requested on March 19, 2009.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) None.

(Opposed) None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.