

# SENATE BILL REPORT

## SB 5426

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As of February 13, 2009

**Title:** An act relating to authorizing certain areas in cities or towns with a population greater than five thousand but less than ten thousand to annex to a fire protection district.

**Brief Description:** Authorizing certain areas in cities or towns to annex to a fire protection district.

**Sponsors:** Senators Kastama, Berkey and Fairley.

**Brief History:**

**Committee Activity:** Government Operations & Elections: 2/12/09.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Staff:** Edward Redmond (786-7471)

**Background:** Fire Protection Districts (district) provide fire prevention, fire suppression, and emergency medical services within their boundaries. Districts generally serve residents in unincorporated areas of a county except when cities and towns have been annexed into a fire district or when the fire district continues to provide service to the newly formed incorporated area. The districts are governed by a board of commissioners (commissioners) consisting of either three or five members. Fire protection activities and facilities are financed through the imposition of property taxes, voter-approved excess property taxes, and benefit charges.

Current law provides that a city or town adjacent to a district may be annexed to that district if the population of the city or town does not exceed 100,000 residents. The legislative authority of a city or town must adopt an ordinance approving annexation into the district and provide a finding that the public interest will be served. The district's commissioners must then authorize the annexation and send notification to the governing body of the county or counties in which both the district and city/town are located. A special election must then be called to allow voters in each jurisdiction to approve or deny the annexation proposal. The annexation is complete if a majority of the voters in each district opt in favor of its passage.

**Summary of Bill:** A city or town located in two counties that have at least 80 percent of the population residing in one county may annex to a fire protection district if, at the time of the initiation of annexation, the proposed area lies adjacent to a fire protection district and the

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population of the proposed area is greater than 5,000 but less than 10,000. The governing bodies of the city and the district, as well as the qualified voters within the boundaries of the fire protection district, must approve of the annexation prior to its existence.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** Yes.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: In September 2007 the city of Milton residents passed a \$0.50 EMS levy. In November 2007 King County residents passed a \$0.30 countywide EMS levy. Since the boundaries of Milton cross over into King County, the King County levy superseded the Milton levy leaving the city with only the balance of \$0.20 to collect in EMS levy taxes. This bill will allow Milton to annex the Pierce County portion of the city of Milton into the Pierce County Fire District 8 (PCFD 8) and contract the services for the King County portion to PCFD 8. Passage of this bill will help to provide more efficient fire and EMS services to the citizens of Milton. The city of Milton and PCFD 8 fire chiefs support this bill.

**Persons Testifying:** PRO: Mayor Katrina Asay, City of Milton; Chief Dale Mitchell, Pierce County Fire District 8; Chief James Jaques, City of Milton.