

SENATE BILL REPORT

HB 1486

As of March 29, 2013

Title: An act relating to voter-approved benefit charges for regional fire protection service authorities.

Brief Description: Concerning voter-approved benefit charges for regional fire protection service authorities.

Sponsors: Representatives Fitzgibbon, Stanford, Bergquist, Roberts, Van De Wege, Ryu and Santos.

Brief History: Passed House: 3/09/13, 55-42.

Committee Activity: Governmental Operations: 3/28/13.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Staff: Karen Epps (786-7424)

Background: A Regional Fire Protection Service Authority (Authority) may be created for the purpose of conducting specified fire protection functions at a regional level. An Authority may be created by the merger of two or more adjacent fire protection jurisdictions including fire protection districts, cities, port districts, and Indian tribes. An Authority may also be created by a vote of the people that approves an Authority plan (plan), and the creation of the Authority, as a single ballot measure.

The required margin for voter approval depends on the revenue sources proposed by the plan. If the plan does not authorize benefit charges or 60 percent voter-approved taxes, the ballot measure must be approved by a simple majority. If however, the plan authorizes the authority to impose benefit charges or 60 percent voter-approved taxes, the ballot measure must be approved by 60 percent of the voters.

A benefit charge is a type of assessment imposed upon a property owner based upon the measurable benefits to be received by the property owner by fire protection districts and fire protection authorities. A district or authority may use this funding approach as a means for apportioning the real costs of service to an individual property in a manner that reflects the actual benefits provided to that property. The imposition of a benefit charge is subject to voter approval by a 60 percent majority of the voters living within the jurisdiction of the district or authority. Subject to such voter approval, a district or authority has the option of

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imposing benefit charges in lieu of a portion of the property tax it is otherwise authorized to impose.

An Authority is governed by a board charged with executing the plan. Board membership is determined by the service plan and is limited to elected officials. The board is empowered to levy and impose taxes as authorized; enforce fire codes; enter into leases, contracts, and pay for services; hire and fire personnel; and exercise other powers and duties as are reasonably necessary to carry out its purposes.

Summary of Bill: The continued imposition of a benefit charge is subject to voter approval by a simple majority of the voters living within the jurisdiction of the Authority. The level of levy authority for an Authority that is not able to be levied when the benefit charge is being imposed is protected.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: Regional fire protection authorities are created to drive efficiencies. This bill would establish that renewal of a fire protection benefit charge would need a majority of the voters to approve the continued imposition of a fire protection benefit charge. This bill also makes a couple of technical fixes for the regional fire protection authorities.

Persons Testifying: PRO: Geoff Simpson, WA State Council of Fire Fighters; Dylan Doty, WA State Assn. of Fire Chiefs.