
SUBSTITUTE HOUSE BILL 1606

State of Washington**64th Legislature****2015 Regular Session**

By House Local Government (originally sponsored by Representatives McBride, Hayes, Van De Wege, Rodne, Griffey, Riccelli, Fitzgibbon, and Ormsby)

READ FIRST TIME 02/19/15.

1 AN ACT Relating to establishing regional fire protection service
2 authorities within the boundaries of regional cities; amending RCW
3 52.26.030, 52.26.040, and 52.26.060; and reenacting and amending RCW
4 52.26.020.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 52.26.020 and 2011 c 141 s 1 are each reenacted and
7 amended to read as follows:

8 The definitions in this section apply throughout this chapter
9 unless the context clearly requires otherwise.

10 (1) "Board" means the governing body of a regional fire
11 protection service authority.

12 (2) "Elected official" means an elected official of a
13 participating fire protection jurisdiction or a regional fire
14 protection district commissioner created under RCW 52.26.080.

15 (3) "Fire protection jurisdiction" means a fire district, city,
16 town, port district, municipal airport, or Indian tribe. A fire
17 protection jurisdiction that is a municipal airport and that is
18 located within a regional city is a separate and independent fire
19 protection jurisdiction.

1 (4) "Participating fire protection jurisdiction" means a fire
2 protection jurisdiction participating in the formation or operation
3 of a regional fire protection service authority.

4 (5) "Regional city" means a city with not less than either: Forty
5 percent of the total population of the county in which the city is
6 located, or fifty thousand residents.

7 (6) "Regional fire protection service authority" or "authority"
8 means a municipal corporation, an independent taxing authority within
9 the meaning of Article VII, section 1 of the state Constitution, and
10 a taxing district within the meaning of Article VII, section 2 of the
11 state Constitution, whose boundaries are coextensive with either two
12 or more adjacent fire protection jurisdictions or a regional city and
13 that has been created by a vote of the people under this chapter to
14 implement a regional fire protection service authority plan.

15 ((+6))) (7) "Regional fire protection service authority plan" or
16 "plan" means a plan to develop and finance a fire protection service
17 authority project or projects, including, but not limited to,
18 specific capital projects, fire operations and emergency service
19 operations pursuant to RCW 52.26.040(3)(b), and preservation and
20 maintenance of existing or future facilities.

21 ((+7))) (8) "Regional fire protection service authority planning
22 committee" or "planning committee" means the advisory committee
23 created under RCW 52.26.030 to create and propose to fire protection
24 jurisdictions a regional fire protection service authority plan to
25 design, finance, and develop fire protection and emergency service
26 projects.

27 ((+8))) (9) "Regular property taxes" has the same meaning as in
28 RCW 84.04.140.

29 **Sec. 2.** RCW 52.26.030 and 2004 c 129 s 3 are each amended to
30 read as follows:

31 Regional fire protection service authority planning committees
32 are advisory entities that are created, convened, and empowered as
33 follows:

34 (1) Any two or more adjacent fire protection jurisdictions or a
35 regional city may create a regional fire protection service authority
36 and convene a regional fire protection service authority planning
37 committee. When two or more municipalities, as defined in RCW
38 14.08.010, operate a municipal airport under chapter 14.08 RCW, the
39 municipal airport may participate in the process to form a regional

1 fire protection service authority only if approved to do so by all
2 municipalities operating the municipal airport. No fire protection
3 jurisdiction may participate in more than one authority.

4 (2) Each governing body of the fire protection jurisdiction or
5 jurisdictions participating in planning under this chapter shall
6 appoint three elected officials to the authority planning committee.
7 Members of the planning committee may receive compensation of seventy
8 dollars per day, or portion thereof, not to exceed seven hundred
9 dollars per year, for attendance at planning committee meetings and
10 for performance of other services in behalf of the authority, and may
11 be reimbursed for travel and incidental expenses at the discretion of
12 their respective governing body.

13 (3) A regional fire protection service authority planning
14 committee may receive state funding, as appropriated by the
15 legislature, ((or)) county funding provided by the affected counties,
16 or city funding provided by a regional city for start-up funding to
17 pay for salaries, expenses, overhead, supplies, and similar expenses
18 ordinarily and necessarily incurred. Upon creation of a regional fire
19 protection service authority, the authority shall within one year
20 reimburse the state ((or)), county, or regional city for any sums
21 advanced for ((these)) start-up costs ((from the state or county)).

22 (4) The planning committee shall conduct its affairs and
23 formulate a regional fire protection service authority plan as
24 provided under RCW 52.26.040.

25 (5) At its first meeting, a regional fire protection service
26 authority planning committee may elect officers and provide for the
27 adoption of rules and other operating procedures.

28 (6) The planning committee may dissolve itself at any time by a
29 majority vote of the total membership of the planning committee. Any
30 participating fire protection jurisdiction may withdraw upon thirty
31 calendar days' written notice to the other participating
32 jurisdictions, if any.

33 **Sec. 3.** RCW 52.26.040 and 2011 c 141 s 2 are each amended to
34 read as follows:

35 (1) A regional fire protection service authority planning
36 committee shall adopt a regional fire protection service authority
37 plan providing for the governance, design, financing, and development
38 of fire protection and emergency services. The planning committee may
39 consider the following factors in formulating its plan:

1 (a) Land use planning criteria; and

2 (b) The input of cities and counties located within, or partially
3 within, a participating fire protection jurisdiction.

4 (2) The planning committee may coordinate its activities with
5 neighboring cities, towns, and other local governments that engage in
6 fire protection planning.

7 (3) The planning committee shall:

8 (a) Create opportunities for public input in the development of
9 the plan;

10 (b)(i) Adopt a plan proposing the creation of a regional fire
11 protection service authority and recommending governance, design,
12 financing, and development of fire protection and emergency service
13 facilities and operations, including maintenance and preservation of
14 facilities or systems. The plan may authorize the authority to
15 establish a system of ambulance service to be operated by the
16 authority or operated by contract after a call for bids. ((However,))

17 (ii) The authority shall not provide for the establishment of an
18 ambulance service that would compete with any existing private
19 ambulance service, unless the authority determines that the region
20 served by the authority, or a substantial portion of the region
21 served by the authority, is not adequately served by an existing
22 private ambulance service. In determining the adequacy of an existing
23 private ambulance service, the authority shall take into
24 consideration objective generally accepted medical standards and
25 reasonable levels of service which must be published by the
26 authority. Following the preliminary conclusion by the authority that
27 the existing private ambulance service is inadequate, and before
28 establishing an ambulance service or issuing a call for bids, the
29 authority shall allow a minimum of sixty days for the private
30 ambulance service to meet the generally accepted medical standards
31 and accepted levels of service. In the event of a second preliminary
32 conclusion of inadequacy within a twenty-four-month period, the
33 authority may immediately issue a call for bids or establish its own
34 ambulance service and is not required to afford the private ambulance
35 service another sixty-day period to meet the generally accepted
36 medical standards and reasonable levels of service. A private
37 ambulance service that is not licensed by the department of health or
38 whose license is denied, suspended, or revoked is not entitled to a
39 sixty-day period within which to demonstrate adequacy and the

1 authority may immediately issue a call for bids or establish an
2 ambulance service; and

3 (c) In the plan, recommend sources of revenue authorized by RCW
4 52.26.050, identify the portions of the plan that may be amended by
5 the board of the authority without voter approval, consistent with
6 RCW 52.26.050, and recommend a financing plan to fund selected fire
7 protection and emergency services and projects.

8 (4) Once adopted, the plan must be forwarded to the governing
9 body or bodies of the participating fire protection ((jurisdictions
10 governing bodies)) jurisdictions to initiate the election process
11 under RCW 52.26.060.

12 (5) If the ballot measure is not approved, the planning committee
13 may redefine the selected regional fire protection service authority
14 projects, financing plan, and the ballot measure. The fire protection
15 jurisdictions' governing bodies may approve the new plan and ballot
16 measure, and may then submit the revised proposition to the voters at
17 a subsequent election or a special election. If a ballot measure is
18 not approved by the voters by the third vote, the planning committee
19 is dissolved.

20 **Sec. 4.** RCW 52.26.060 and 2006 c 200 s 4 are each amended to
21 read as follows:

22 The governing bodies of two or more adjacent fire protection
23 jurisdictions or any regional city may, upon receipt of the regional
24 fire protection service authority plan under RCW 52.26.040, ((may))
25 certify the plan to the ballot, including identification of the
26 revenue options specified to fund the plan. The governing body or
27 bodies of the fire protection jurisdiction or jurisdictions may draft
28 a ballot title, give notice as required by law for ballot measures,
29 and perform other duties as required to put the plan before the
30 voters of the proposed authority for their approval or rejection as a
31 single ballot measure that both approves formation of the authority
32 and approves the plan. Authorities may negotiate interlocal
33 agreements necessary to implement the plan. The electorate is the
34 voters voting within the boundaries of the proposed regional fire
35 protection service authority. A simple majority of the total persons
36 voting on the single ballot measure to approve the plan and establish
37 the authority is required for approval. However, if the plan
38 authorizes the authority to impose benefit charges or sixty percent
39 voter approved taxes, then the percentage of total persons voting on

1 the single ballot measure to approve the plan and establish the
2 authority is the same as in RCW 52.26.050. The authority must act in
3 accordance with the general election laws of the state. The authority
4 is liable for its proportionate share of the costs when the elections
5 are held under RCW 29A.04.321 and 29A.04.330.

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