

SENATE BILL REPORT

SHB 2576

As Passed Senate, February 27, 2018

Title: An act relating to allowing fire protection district annexations and mergers within a reasonable geographic proximity.

Brief Description: Allowing fire protection district annexations and mergers within a reasonable geographic proximity.

Sponsors: House Committee on Local Government (originally sponsored by Representatives Griffey, Springer and McBride).

Brief History: Passed House: 2/08/18, 90-8.

Committee Activity: Local Government: 2/15/18, 2/20/18 [DP].

Floor Activity:

Passed Senate: 2/27/18, 48-1.

Brief Summary of Bill

- Provides that property located within a reasonable proximity to, rather than adjacent to, a fire district may be annexed by the fire district.
- Authorizes a fire protection jurisdiction that is located within a reasonable proximity to the boundary of a regional fire district authority to be eligible for annexation by the authority, rather than adjacent to the authority.
- Permits two or more fire protection jurisdictions located within reasonable proximity to each other—rather than adjacent to each other—to form a regional fire service authority.
- Permits a part of one district to be transferred and merged with a district located within reasonable proximity—rather than an adjacent district.

SENATE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass.

Signed by Senators Takko, Chair; Palumbo, Vice Chair; Short, Ranking Member; Angel and Lias.

Staff: Greg Vogel (786-7413)

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.

Background: Fire Protection Districts. A fire protection district (district) is a type of special purpose district created to provide fire prevention, fire suppression, and emergency medical services within a district's boundaries, which can include incorporated and unincorporated areas. Generally, districts serve residents outside of cities or towns, except when cities and towns have been annexed into a district or when the district continues to provide service to a newly incorporated area. The districts finance their activities and facilities by imposing regular property taxes, excess voter-approved property tax levies, and benefit charges.

Annexation to a Fire Protection District. A city or town may annex to a district provided it is located within a reasonable proximity to that district. A district may also merge with another district if it is located within a reasonable proximity to that district. There are various methods for annexations such as:

Unincorporated Area/Election Method. For property adjacent to the district and not within the boundaries of any city, town, or other district, an annexation process may commence with a petition to the district signed by 15 percent of the qualified registered voters residing within the territory proposed for annexation. If the fire protection district commissioners concur, the petition is submitted to the county legislative authority or boundary review board and, if approved, to the voters of territory proposed for annexation at a special election.

Unincorporated Area/Petition Method. Alternatively, property adjacent to the district may be annexed by the district upon petition signed by owners of at least 60 percent of the land proposed for annexation. The fire protection district commissioners may accept the petition and hold a public hearing on the petition. The district may adopt a resolution to annex all or a portion of the proposed annexation property, and the district's action is subject to review by the county legislative authority or boundary review board.

Merger of a Part of a Fire Protection District. A part of one district may be transferred and merged with an adjacent district if the area can be better served by the merged district. A petition must be signed by a majority of the commissioners of the merging district or not less than 15 percent of the qualified electors residing in the area to be annexed. If the commissioners of the merger district approve the petition, an election is called in the area to be merged. The merger occurs if approved by a majority of votes cast.

Regional Fire Protection Service Authorities (RFAs). RFAs are municipal corporations created to conduct selected fire protection functions at a regional level. Regional fire protection services authorities are formed by transferring the powers, duties, and functions of two or more adjacent fire protection jurisdictions to a RFA in accordance with a RFA plan approved by voters.

Definitions. RFA means a municipal corporation, an independent taxing authority, and a taxing district, whose boundaries are coextensive with two or more adjacent fire protection jurisdictions and that has been created by a vote of the people to implement a regional fire protection service authority plan. Reasonable proximity means geographical areas near enough to each other so that governance, management, and services can be delivered effectively.

Summary of Bill: Annexation to a Fire Protection District. Under the petition method and the election method of annexation for a district, property located within a reasonable proximity to—rather than adjacent to—a fire district may be annexed by the district.

Merger of a Part of a Fire Protection District. A part of one district may be transferred and merged with a district located within reasonable proximity—rather than an adjacent district—if the area can be better served by the merged district.

Regional Fire Protection Service Authorities. A fire protection jurisdiction that is located within a reasonable proximity to the boundary of a RFA—rather than adjacent to a RFA—is eligible for annexation by the authority. In addition, two or more fire protection jurisdictions located within reasonable proximity to each other—rather than adjacent to each other—may form a RFA.

Definitions. RFA is redefined to mean a municipal corporation, an independent taxing authority, and a taxing district, whose boundaries are coextensive with two or more fire protection jurisdictions located within reasonable proximity—rather than whose boundaries are coextensive with two or more adjacent districts—and that has been created by a vote of the people to implement a regional fire protection service authority plan.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: The state is reaching near the bottom in terms of ways to merge and encourage consolidation and efficiency of fire protection services. However, there might be some apprehension for two municipal fire departments to merge with a rural fire department, for example. This bill seeks to take down some of the barriers to merging services between departments.

Persons Testifying: PRO: Representative Dan Griffey, Prime Sponsor; Ryan Spiller, Washington Fire Commissioners.

Persons Signed In To Testify But Not Testifying: No one.