

SB 5628 - H COMM AMD

By Committee on Ways & Means

ADOPTED 04/07/2011

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that King county
4 currently imposes an emergency medical services levy throughout the
5 entire county. The legislature further finds that the city of Milton
6 is located partially within King and Pierce counties and the residents
7 of Milton within King county pay the county emergency medical services
8 levy. The legislature further finds that King county, through an
9 interlocal agreement with the city of Milton, has not provided
10 emergency medical services to the city for many years and instead has
11 remitted the county emergency medical services levy collected within
12 the city back to the city. The legislature further finds that the city
13 of Milton has collected only twenty cents per thousand dollars of
14 assessed valuation under its city emergency medical services levy, and
15 not the full fifty cents authorized by the city's voters, because state
16 law limits the city's levy, as well as any other taxing district's
17 emergency medical services levy, if the county also imposes the tax.
18 The legislature further finds that the city of Milton is exploring the
19 possibility of being annexed by a fire protection district located in
20 Pierce county; however, if the district annexes the entire city,
21 including the portion in King county, the district would have to lower
22 its emergency medical services levy as required under state law.

23 (2) It is the intent of the legislature to address this unusual
24 situation by excluding the portion of the city of Milton within King
25 county from the county emergency medical services levy. It is the
26 further intent of the legislature to clarify that a fire protection
27 district is able to levy the full amount of emergency medical services
28 levy otherwise allowed by law throughout the entire city.

1 **Sec. 2.** RCW 84.52.069 and 2004 c 129 s 23 are each amended to read
2 as follows:

3 (1) As used in this section, "taxing district" means a county,
4 emergency medical service district, city or town, public hospital
5 district, urban emergency medical service district, regional fire
6 protection service authority, or fire protection district.

7 (2) Except as provided in subsection (10) of this section, a taxing
8 district may impose additional regular property tax levies in an amount
9 equal to fifty cents or less per thousand dollars of the assessed value
10 of property in the taxing district. The tax shall be imposed (a) each
11 year for six consecutive years, (b) each year for ten consecutive
12 years, or (c) permanently. A tax levy under this section must be
13 specifically authorized by a majority of at least three-fifths of the
14 registered voters thereof approving a proposition authorizing the
15 levies submitted at a general or special election, at which election
16 the number of persons voting "yes" on the proposition shall constitute
17 three-fifths of a number equal to forty percent of the total number of
18 voters voting in such taxing district at the last preceding general
19 election when the number of registered voters voting on the proposition
20 does not exceed forty percent of the total number of voters voting in
21 such taxing district in the last preceding general election; or by a
22 majority of at least three-fifths of the registered voters thereof
23 voting on the proposition when the number of registered voters voting
24 on the proposition exceeds forty percent of the total number of voters
25 voting in such taxing district in the last preceding general election.
26 Ballot propositions (~~shall~~) must conform with RCW 29A.36.210. A
27 taxing district (~~shall~~) may not submit to the voters at the same
28 election multiple propositions to impose a levy under this section.

29 (3) A taxing district imposing a permanent levy under this section
30 shall provide for separate accounting of expenditures of the revenues
31 generated by the levy. The taxing district (~~shall~~) must maintain a
32 statement of the accounting which (~~shall~~) must be updated at least
33 every two years and (~~shall~~) must be available to the public upon
34 request at no charge.

35 (4)(a) A taxing district imposing a permanent levy under this
36 section (~~shall~~) must provide for a referendum procedure to apply to
37 the ordinance or resolution imposing the tax. This referendum
38 procedure (~~shall~~) must specify that a referendum petition may be

1 filed at any time with a filing officer, as identified in the ordinance
2 or resolution. Within ten days, the filing officer (~~shall~~) must
3 confer with the petitioner concerning form and style of the petition,
4 issue the petition an identification number, and secure an accurate,
5 concise, and positive ballot title from the designated local official.
6 The petitioner (~~shall have~~) has thirty days in which to secure the
7 signatures of not less than fifteen percent of the registered voters of
8 the taxing district, as of the last general election, upon petition
9 forms which contain the ballot title and the full text of the measure
10 to be referred. The filing officer (~~shall~~) must verify the
11 sufficiency of the signatures on the petition and, if sufficient valid
12 signatures are properly submitted, (~~shall~~) must certify the
13 referendum measure to the next election within the taxing district if
14 one is to be held within one hundred eighty days from the date of
15 filing of the referendum petition, or at a special election to be
16 called for that purpose in accordance with RCW 29A.04.330.

17 (b) The referendum procedure provided in this subsection (~~shall~~
18 ~~be~~) (4) is exclusive in all instances for any taxing district imposing
19 the tax under this section and (~~shall~~) supersedes the procedures
20 provided under all other statutory or charter provisions for initiative
21 or referendum which might otherwise apply.

22 (5) Any tax imposed under this section (~~shall~~) may be used only
23 for the provision of emergency medical care or emergency medical
24 services, including related personnel costs, training for such
25 personnel, and related equipment, supplies, vehicles and structures
26 needed for the provision of emergency medical care or emergency medical
27 services.

28 (6) If a county levies a tax under this section, no taxing district
29 within the county may levy a tax under this section. If a regional
30 fire protection service authority imposes a tax under this section, no
31 other taxing district that is a participating fire protection
32 jurisdiction in the regional fire protection service authority may levy
33 a tax under this section. No other taxing district may levy a tax
34 under this section if another taxing district has levied a tax under
35 this section within its boundaries: PROVIDED, That if a county levies
36 less than fifty cents per thousand dollars of the assessed value of
37 property, then any other taxing district may levy a tax under this
38 section equal to the difference between the rate of the levy by the

1 county and fifty cents: PROVIDED FURTHER, That if a taxing district
2 within a county levies this tax, and the voters of the county
3 subsequently approve a levying of this tax, then the amount of the
4 taxing district levy within the county (~~shall~~) must be reduced, when
5 the combined levies exceed fifty cents. Whenever a tax is levied
6 countywide, the service (~~shall~~) must, insofar as is feasible, be
7 provided throughout the county: PROVIDED FURTHER, That no countywide
8 levy proposal may be placed on the ballot without the approval of the
9 legislative authority of each city exceeding fifty thousand population
10 within the county: AND PROVIDED FURTHER, That this section and RCW
11 36.32.480 shall not prohibit any city or town from levying an annual
12 excess levy to fund emergency medical services: AND PROVIDED, FURTHER,
13 That if a county proposes to impose tax levies under this section, no
14 other ballot proposition authorizing tax levies under this section by
15 another taxing district in the county may be placed before the voters
16 at the same election at which the county ballot proposition is placed:
17 AND PROVIDED FURTHER, That any taxing district emergency medical
18 service levy that is limited in duration and that is authorized
19 subsequent to a county emergency medical service levy that is limited
20 in duration, (~~shall~~) expires concurrently with the county emergency
21 medical service levy. A fire protection district that has annexed an
22 area described in subsection (10) of this section may levy the maximum
23 amount of tax that would otherwise be allowed, notwithstanding any
24 limitations in this subsection (6).

25 (7) The limitations in RCW 84.52.043 (~~shall~~) do not apply to the
26 tax levy authorized in this section.

27 (8) If a ballot proposition approved under subsection (2) of this
28 section did not impose the maximum allowable levy amount authorized for
29 the taxing district under this section, any future increase up to the
30 maximum allowable levy amount must be specifically authorized by the
31 voters in accordance with subsection (2) of this section at a general
32 or special election.

33 (9) The limitation in RCW 84.55.010 (~~shall~~) does not apply to the
34 first levy imposed pursuant to this section following the approval of
35 such levy by the voters pursuant to subsection (2) of this section.

36 (10) For purposes of imposing the tax authorized under this
37 section, the boundary of a county with a population greater than one
38 million five hundred thousand does not include all of the area of the

1 county that is located within a city that has a boundary in two
2 counties, if the locally assessed value of all the property in the area
3 of the city within the county having a population greater than one
4 million five hundred thousand is less than two hundred fifty million
5 dollars.

6 (11) For purposes of this section, the following definitions apply:

7 (a) "Fire protection jurisdiction" means a fire protection
8 district, city, town, Indian tribe, or port district; and

9 (b) "Participating fire protection jurisdiction" means a fire
10 protection district, city, town, Indian tribe, or port district that is
11 represented on the governing board of a regional fire protection
12 service authority.

13 NEW SECTION. **Sec. 3.** This act applies to taxes levied for
14 collection in 2012 and thereafter."

15 Correct the title.

EFFECT: In lieu of a property tax exemption, a county's EMS tax boundary is changed to disallow the tax within the area described in the underlying bill. Clarifies that a fire protection district may levy the full amount of the EMS tax throughout the entire city of Milton. The assessed value threshold is increased. Adds intent language.

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