

HOUSE BILL REPORT

HB 1911

As Amended by the Senate

Title: An act relating to the location of fire protection districts in newly incorporated cities and towns.

Brief Description: Regulating fire protection districts in newly incorporated cities and towns.

Sponsors: Representatives Zellinsky, Reams and H. Myers.

Brief History:

Reported by House Committee on:
Local Government, March 1, 1993, DP;
Passed House, March 12, 1993, 98-0;
Amended by Senate.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 12 members:
Representatives H. Myers, Chair; Bray, Vice Chair;
Edmondson, Ranking Minority Member; Reams, Assistant Ranking
Minority Member; Dunshee; R. Fisher; Horn; Rayburn; Romero;
Springer; Van Luven; and Zellinsky.

Staff: Steve Lundin (786-7127).

Background: The incorporation of a city or town involves several steps over an extended period of time, including, the filing of a petition calling for the incorporation, an election on the incorporation, a primary to nominate candidates for the initial elected positions, an election to elect the initial elected officials, an interim transition period, and the official date of incorporating the city or town.

During the interim transition period, a fire protection district may annex all of the newly incorporated city or town, effective immediately upon the official incorporation of the new city or town. If such an annexation does not occur, territory in the city or town is removed from any fire protection district at the official date of incorporation. The newly incorporated city or town could create its own fire department or contract with another city or town, or a fire protection district, for the provision of fire suppression services.

A ballot proposition is submitted to the voters of a city or town authorizing a fire protection district to annex the city or town, if the annexation is approved by both the board of fire commissioners and the city or town council. If the annexation is approved by city or town voters, the fire protection district imposes its tax levies throughout its boundaries, including the city or town, and the levy rate of the city or town is reduced to the lesser of either \$3.60 per \$1,000 of assessed valuation, less the levy rate of the fire protection district, or whatever the rate of regular property taxes the city or town could have imposed without the annexation.

Summary of Bill: If a newly incorporated city or town was located in a single fire protection district, the city or town would remain in the fire protection district during the first year after the official date of incorporating the city or town, unless the city or town council adopts a resolution during the interim transition period causing the city or town to be automatically removed from the fire protection district upon its official date of incorporation.

During the first year of the official existence of the city or town, a ballot proposition could be submitted to the voters of the city or town authorizing the city or town to remain within the fire protection district.

If the city or town is removed from the fire protection district, the regular levy rate of the city or town shall be adjusted as if the city or town never had been included within the fire protection district.

EFFECT OF SENATE AMENDMENT(S): The Senate amendment (1) allows a newly incorporated city or town to remain within one or more fire protection districts during the first two years of the city's or town's existence; (2) recognizes that where an entire fire protection district is included in a newly incorporated city or town, the fire protection district may still impose its tax levy during this period; and (3) holds in obedience provisions of law concerning the distribution of the assets of a fire protection district when a newly incorporated city includes a certain percentage of the assessed valuation of the district.

Fiscal Note: Not requested.

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

Testimony For: This will allow a fire district to remain in the city for one year without a vote of the people being necessary.

Testimony Against: None.

Witnesses: Peter Spiller, Washington Fire Commissioners Association.

VOTE ON FINAL PASSAGE:

Yeas 98