
HOUSE BILL 2840

State of Washington

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By Representatives Carrell, Conway, Talcott, Darneille, Bush, Kirby, Morell, Roach, Casada and Pflug

Read first time 01/30/2002. Referred to Committee on Local Government & Housing.

1 AN ACT Relating to public safety services provided to state
2 hospitals; and amending RCW 35.21.779.

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

4 **Sec. 1.** RCW 35.21.779 and 1995 c 399 s 39 are each amended to read
5 as follows:

6 (1) In cities or towns where a state hospital designated in RCW
7 72.23.020 is located or where the estimated value of state-owned
8 facilities constitutes ten percent or more of the total assessed
9 valuation, the state agency or institution owning the facilities or
10 hospital shall contract with the city or town to pay an equitable share
11 for fire and police protection services. The contract shall be
12 negotiated as provided in subsections (2) through (6) of this section
13 and shall provide for payment by the agency or institution to the city
14 or town.

15 (2) A city or town seeking to enter into fire or police protection
16 contract negotiations shall provide written notification to the
17 department of community, trade, and economic development and the state
18 agencies or institutions that own property within the jurisdiction, of
19 its intent to contract for fire or police protection services. Where

1 there are multiple state agencies located within a single jurisdiction,
2 a city may choose to notify only the department of community, trade,
3 and economic development, which in turn shall notify the agencies or
4 institution that own property within the jurisdiction of the city's
5 intent to contract for fire or police protection services. Any such
6 notification shall be based on the valuation procedures, if applicable,
7 based on commonly accepted standards, adopted by the department of
8 community, trade, and economic development in consultation with the
9 department of general administration and the association of Washington
10 cities.

11 (3) The department of community, trade, and economic development
12 shall review any such notification to ensure that the valuation
13 procedures and results, if applicable, are accurate. The department
14 will notify each affected city or town and state agency or institution
15 of the results of their review within thirty days of receipt of
16 notification.

17 (4) The parties negotiating fire or police protection contracts
18 under this section shall conduct those negotiations in good faith.
19 Whenever there are multiple state agencies located within a single
20 jurisdiction, every effort shall be made by the state to consolidate
21 negotiations on behalf of all affected agencies.

22 (5) In the event of notification by one of the parties that an
23 agreement cannot be reached on the terms and conditions of a fire or
24 police protection contract, the director of the department of
25 community, trade, and economic development shall mediate a resolution
26 of the disagreement. In the event of a continued impasse, the director
27 of the department of community, trade, and economic development shall
28 recommend a resolution.

29 (6) If the parties reject the recommendation of the director and an
30 impasse continues, the director shall direct the parties to
31 arbitration. The parties shall agree on a neutral arbitrator, and the
32 fees and expenses of the arbitrator shall be shared equally between the
33 parties. The arbitration shall be a final offer, total arbitration,
34 with the arbitrator empowered only to pick the final offer of one of
35 the parties or the recommended resolution by the director of the
36 department of community, trade, and economic development. The decision
37 of the arbitrator shall be final, binding, and nonappealable on the
38 parties.

1 (7) The provisions of this section shall not apply if a city or
2 town and a state agency or institution have contracted pursuant to RCW
3 35.21.775.

4 (8) The provisions of this section do not apply to cities and towns
5 not meeting the conditions in subsection (1) of this section. Cities
6 and towns not meeting the conditions of subsection (1) of this section
7 may enter into contracts pursuant to RCW 35.21.775.

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