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## Local Government Committee

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### HB 1731

**Brief Description:** Concerning the formation, operation, and governance of regional fire protection service authorities.

**Sponsors:** Representatives Takko, Kagi and Reykdal.

#### Brief Summary of Bill

- Provides for the creation of a new classification of elected official, the regional fire protection service authority commissioner (commissioner), and of commissioner districts.
- Authorizes a Regional Fire Protection Service Authority (Authority) service plan to provide for one or more commissioners to serve on the Authority's governing board.
- Establishes terms of service for a commissioner, including compensation.

**Hearing Date:** 2/11/11

**Staff:** Heather Emery (786-7136).

#### **Background:**

An Authority may be created for the purpose of conducting specified fire protection functions at a regional level. An Authority may be created by the merger of two or more adjacent fire protection jurisdictions, including fire protection districts, cities, port districts, and Indian tribes. The creation of an Authority requires voter approval.

#### **Powers and Duties of an Authority.**

An Authority is governed by a board charged with executing the Authority's service plan, which provides for the design, financing, and development of fire protection services. Board membership determined by the service plan and is limited to elected officials. As it currently exists, chapter 52.26 RCW, which governs authorities, does not provide for the election of any

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new officials specific to an authority. It is also silent as to the following matters relating to elected officials serving on the board:

- compensation;
- qualifications (beyond elected status);
- ability to serve as a volunteer firefighter;
- polling places for elections; and
- vacancies.

The board is empowered to:

- levy and impose taxes as authorized;
- enter into intergovernmental agreements;
- acquire, hold, or dispose of real property;
- exercise the powers of eminent domain;
- enforce fire codes;
- accept grants and contributions to support the purposes of the authority;
- monitor and audit the progress and execution of the authority's programs and projects;
- enter into leases, contracts, and pay for services;
- hire and fire personnel; and
- exercise other powers and duties as are reasonably necessary to carry out its purposes.

All powers, duties, and functions of a participating fire protection jurisdiction may be transferred by resolution to the authority.

#### **Summary of Bill:**

The following definition of "elected official" is established: "an elected official of a participating fire protection jurisdiction or a regional fire protection district commissioner created under RCW 52.26.080."

An authority's service plan may create one or more regional fire protection service authority commissioner positions. The governing board of an Authority may consist solely of elected officials of a participating jurisdiction and, if authorized by the service plan, one or more commissioners.

Rather than being set forth in an Authority's service plan, provisions governing a commissioner's compensation, qualifications, ability to serve as a volunteer firefighter, polling places for elections, and commissioner vacancies are as provided in chapter 52.14 RCW, pertaining to commissioners of fire protection districts (districts):

- **Compensation.** A commissioner may be compensated \$90.00 per day, not to exceed \$8,640 per year (amount adjustable for inflation), plus necessary expenses incurred in attending meetings of the board or when otherwise engaged in district business
- **Qualifications.** Any voter residing in the district is eligible for the position.
- **Ability to serve as a volunteer firefighter.** A commissioner is eligible to serve in that capacity if the board unanimously adopts a resolution to that effect.
- **Polling places for elections.** Polling places may be located outside the boundaries of the district, as determined by the auditor of the county in which the district is located.

- **Vacancies.** If a commissioner is absent from three consecutive meetings without being excused by the board, the position is deemed vacant.

Additionally, an authority's service plan may create commissioner districts, which must be approximately equal in population. If districts are created, only a voter who resides in a district is eligible to serve as a commissioner for the district, and only voters of that district may vote at a primary to nominate a commissioner of the district.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.