

HOUSE BILL REPORT

SSB 5766

As Passed House - Amended:

February 27, 2012

Title: An act relating to fire protection district commissioners.

Brief Description: Addressing fire protection district commissioners.

Sponsors: Senate Committee on Government Operations, Tribal Relations & Elections
(originally sponsored by Senators Roach and Pridemore).

Brief History:

Committee Activity:

Local Government: 2/17/12, 2/21/12 [DPA].

Floor Activity:

Passed House - Amended: 2/27/12, 97-0.

Brief Summary of Substitute Bill (As Amended by House)

- Authorizes the governing board of a fire protection district (district) to be increased to seven commissioners if the district has an annual budget of \$10 million or more.
- Requires the governing board of a district to be increased to seven commissioners if a majority of the voters in the district approve the increase in board membership.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass as amended. Signed by 9 members: Representatives Takko, Chair; Fitzgibbon, Vice Chair; Angel, Ranking Minority Member; Asay, Assistant Ranking Minority Member; Rodne, Smith, Springer, Tharinger and Upthegrove.

Staff: Kelly Pfundheller (786-7289).

Background:

Fire Protection Districts.

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.

A fire protection district (district) is a type of special purpose district, typically located in an unincorporated area, with responsibility to provide fire prevention and suppression services and emergency medical response services. A district has the powers and authorities of a municipal corporation.

Increasing the Number of Commissioners.

Districts are generally managed by a board composed of three commissioners. Commissioners are elected at-large and serve staggered six-year terms.

If a district maintains a fire department consisting wholly of personnel employed on a full-time, fully paid basis, the board is increased to five commissioners. In other cases, the governing board of a district may be increased to five commissioners if a majority of the voters in the district approve the increase in board membership. Such an election may be initiated by a resolution of the board or by a petition signed by 10 percent of the voters within the district. The governing board of a district with five commissioners may be decreased to three commissioners by the same procedure.

Newly added positions are filled in accordance with the state laws on vacancies. State law requires that the three commissioners appoint a qualified person to one of the vacancies, and subsequently the commissioners and the new appointee appoint the final commissioner. The appointees must draw lots, with one appointee serving until the next general fire district election after the appointment and the other appointee serving until the second general fire district election after the appointment.

Compensation for Commissioners.

State statute provides that commissioners receive \$90 per day for time spent in actual attendance at official meetings of the board or in performance of other services or duties on behalf of the district. Annual compensation may not exceed \$8,640. The Office of Financial Management (OFM) is required to adjust the amounts for inflation every five years. In 2008 the OFM adjusted the amount to \$104 per day with an annual compensation limit of \$9,984. The adjustments are published in the Washington State Register, but are not reflected in statute. The next adjustment is slated to occur in 2013.

Summary of Amended Bill:

Increasing the Number of Fire Protection District Commissioners.

The board of fire commissioners for a district with an annual budget of \$10 million or more may increase the number of commissioners to seven. In other cases, the governing board of a district must be increased to seven commissioners if a majority of the voters in the district approve the increase in board membership. Board membership may be decreased to five or three by the same procedure.

Newly added positions are filled in accordance with the state laws on vacancies, and the appointees must draw lots to determine at which election their terms expire.

Compensation for Commissioners.

The statutorily established payment rates for commissioners are changed. Commissioners must receive \$104 per day, and annual compensation may not exceed \$9,984.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) In recent years districts have made several changes in order to operate with greater efficiency. The goal is to be resourceful with taxpayer dollars while still providing the best services possible. One of the recent changes has been to merge certain districts. Though the bill looks like an increase in commissioners, it is actually a reduction for certain areas that were previously served by multiple districts with several commissioners and are now being served by one large district with only three commissioners. The bill sets a limit on the size of the board while still allowing greater representation.

A recent merger of districts in Pierce County created a single district that is currently providing services to over 162 square miles. The change requires a larger board of commissioners in order to represent the larger area of affected residents. The bill is a necessary response to the recent trend of combining more and more districts.

(Opposed) None.

Persons Testifying: Ryan Spiller and Dale Mitchell, Washington Fire Commissioners.

Persons Signed In To Testify But Not Testifying: None.