

SENATE BILL REPORT

SB 5155

As of February 9, 2011

Title: An act relating to regional public safety authorities.

Brief Description: Authorizing public safety authorities.

Sponsors: Senators Prentice, Keiser and Chase.

Brief History:

Committee Activity: Government Operations, Tribal Relations & Elections: 1/25/11.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Staff: Diane Smith (786-7410)

Background: Cities and towns derive their police power from the Washington State Constitution. Some port districts employ law enforcement personnel under statutory authority first enacted in 1974.

Each jurisdiction's duty to provide law enforcement services may also be discharged through interlocal agreements with other jurisdictions.

Law enforcement jurisdiction on tribal lands is governed by a combination of tribal law, state law, federal law, and treaty. The state does not exercise civil or criminal jurisdiction over tribal members on tribal lands, with some exceptions.

Tribes generally have their own court systems, criminal statutes, and law enforcement agencies. Tribes that are subject to state jurisdiction may enter into agreements with local law enforcement agencies to provide law enforcement service on tribal lands.

In general, the tribes do not have the inherent jurisdiction to try and to punish non-tribal persons on tribal lands. However, tribal law enforcement officers do have the authority to stop non-tribal drivers on the reservation to investigate possible violations of tribal law. If the non-tribal driver is suspected of a crime, the tribal officer may then temporarily detain the driver pending transfer to state law enforcement officials.

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.

Summary of Bill: A regional public safety authority may be created by a vote of the voters voting within the boundaries of the proposed authority. The ballot proposition must include approval of the regional public safety authority plan; the creation of the authority; and the imposition of taxes and benefit charges, if any, as a single ballot measure.

The plan is created by a planning committee composed of three elected officials appointed by the governing bodies of each of the participating public safety jurisdictions. Public safety jurisdictions are cities, towns, port districts, and Indian tribes.

The planning committee must adopt a plan proposing the creation of the authority and recommending design, financing, and development of police service facilities and operations, including capital projects.

The financing options include benefit charges, and three 50 cent per \$1,000 assessed value voter-approved excess property tax levies. However, if the authority imposes benefit charges, it may not impose the third 50 cent property tax. Benefit charges expire in ten or fewer years as authorized by the voters but may be reapproved by the voters

The governing board of the authority must consist solely of elected officials and is determined by the plan. The governing board must execute the voter-approved plan. The participating jurisdictions must review the plan every ten years.

The authority may issue bonds, notes, and incur general indebtedness in an amount not to exceed, together with outstanding nonvoter approved general obligation debt, three-fourths of 1 percent of the value of the taxable property in the authority. The maximum term of these debt obligations is 30 years.

The authority may also pledge revenue and taxes under an interlocal contract for a term not to exceed 30 years. The authority may incur general indebtedness and issue general obligation bonds maturing in up to 25 years, to be paid by voter-approved excess property tax levies.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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