

HOUSE BILL REPORT

HB 1606

As Reported by House Committee On: Local Government

Title: An act relating to establishing regional fire protection service authorities within the boundaries of regional cities.

Brief Description: Establishing regional fire protection service authorities within the boundaries of regional cities.

Sponsors: Representatives McBride, Hayes, Van De Wege, Rodne, Griffey, Riccelli, Fitzgibbon and Ormsby.

Brief History:

Committee Activity:

Local Government: 2/4/15, 2/17/15 [DPS].

Brief Summary of Substitute Bill

- Authorizes regional fire protection service authorities (RFAs) to be formed within a single regional city rather than only within an area that is coextensive with two or more fire protection jurisdictions.
- Defines "regional city" as a city with not less than either 40 percent of the total population of the county in which the city is located, or 50,000 residents.
- Specifies, for purposes of provisions governing RFAs, that a fire protection jurisdiction that is a municipal airport and is located within a regional city is a separate and independent fire protection jurisdiction.
- Establishes that when two or more municipalities jointly operate a municipal airport, the municipal airport may participate in the process to form a RFA only if approved to do so by all municipalities operating the municipal airport.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Takko, Chair; Gregerson, Vice Chair; Griffey, Assistant Ranking Minority Member; Fitzgibbon, McBride, McCaslin and Peterson.

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.

Minority Report: Do not pass. Signed by 2 members: Representatives Taylor, Ranking Minority Member; Pike.

Staff: Ethan Moreno (786-7386).

Background:

Regional Fire Protection Service Authorities.

In 2004 the Legislature authorized the creation of regional fire protection service authorities (RFAs) as separate taxing districts charged with providing regional fire protection and emergency services within their jurisdictional boundaries. The governing body of an RFA is determined by provisions in the plan calling for its creation. Nine RFAs currently operate in Washington.

An RFA is formed through a multi-step process that begins when elected officials from two or more adjacent fire protection jurisdictions convene an RFA planning committee (planning committee). The term "fire protection jurisdiction" is defined in RFA provisions to mean a fire district, city, town, port district, municipal airport, or Indian tribe. No fire protection jurisdiction may participate in more than one RFA.

The governing body of each jurisdiction participating in the planning committee must appoint three elected officials to the committee. The planning committee, which may receive and repay state or county start-up funding for ordinary and necessary expenses, must formulate and adopt an RFA plan (plan) for the governance, design, financing, and development of fire protection and emergency services within the proposed RFA. The planning committee may dissolve itself, and any participating fire protection jurisdiction may withdraw upon providing 30 days of written notice to the other jurisdictions.

Once adopted, the plan must be forwarded to the governing bodies of the participating fire protection jurisdictions to initiate an election process. Absent financing provisions requiring 60 percent voter approval, a simple majority of the total persons voting on the ballot measure to approve the plan and establish the RFA is required to approve the creation of the RFA.

Municipal Airports, Joint Operations.

The Revised Airports Act of 1945 (Act) grants counties, cities, towns, airport districts, and port districts (municipalities) the authority to establish, operate, and regulate municipal airports and other air navigational facilities within and outside of their territorial limits. In addition to the authorizations provided to individual municipalities by the Act, any two or more municipalities may, by agreement, jointly exercise powers for the establishment, operation, and regulation of municipal airports. Municipalities exercising these joint powers must create, and are governed by, appointed boards comprised of inhabitants of the municipalities. With limited exceptions, these joint boards may exercise, on behalf of the municipalities acting jointly, the municipal airport powers granted to single municipalities.

Summary of Substitute Bill:

Provisions governing regional fire protection service authorities (RFAs) are modified to allow an RFA to be formed within a single regional city rather than only within an area that is coextensive with two or more fire protection jurisdictions. "Regional city" is defined as a city with not less than either 40 percent of the total population of the county in which the city is located, or 50,000 residents.

Various provisions governing the creation of RFAs are modified to allow for the creation of an RFA within a single regional city, including:

- requiring the governing body of the city to appoint three elected officials to the RFA planning committee (planning committee);
- specifying that a planning committee must repay, within one year of the RFAs establishment, funding provided by specified sources, including a regional city, for ordinary and necessary initial expenses associated with the initial operation of the RFA; and
- specifying that any participating fire protection jurisdiction may withdraw from the planning committee upon providing 30 days of written notice to the other participating jurisdictions, if any.

Provisions relating to municipal airports and RFAs are modified and established. The definition of "fire protection jurisdiction" in RFA provisions is modified to specify that a fire protection jurisdiction that is a municipal airport and is located within a regional city, is a separate and independent fire protection jurisdiction. Additionally, when two or more municipalities jointly operate a municipal airport, the municipal airport may participate in the process to form an RFA only if approved to do so by all municipalities operating the municipal airport.

Substitute Bill Compared to Original Bill:

The substitute bill, in comparison to the original bill, establishes that, for purposes of forming a regional fire protection service authority (RFA), a fire protection jurisdiction that is a municipal airport and is located within a regional city is a separate and independent fire protection jurisdiction. The substitute bill also establishes that when two or more municipalities jointly operate a municipal airport, the municipal airport may participate in the process to form an RFA only if approved to do so by all municipalities operating the municipal airport.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute 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) Since the first regional fire protection service authority (RFA) was created in 2007, several have been created around the state, but some attempts have failed. Barriers to the creation of RFAs include dissimilar taxing rates between adjacent jurisdictions, different levels of service, divergent staffing levels, and dissimilar revenue authority between cities and fire districts. This bill allows regional cities to divest themselves of fire and life safety services and to transfer those responsibilities to a separate and stand-alone entity. This is a tool that is available for cities that wish to use it; a planning committee of elected officials must still be appointed by a city council, and an RFA proposal must be approved by the voters. This is not a duplication of taxing authority, as the authority allowed by the city transfers to the RFA.

Current law allows municipalities and districts to join with another jurisdiction and create an RFA. The process has been beneficial, and community response times have been lowered. The planning committee of an RFA can design a level of service, but the voters get to decide whether the proposal is acceptable. Kirkland does not have a partner that it can reach out to for the creation of an RFA. This bill would be beneficial to Kirkland, as it would allow the city to consider creating a regional city RFA. Cities around Kirkland have established regional training, and this bill may help to demonstrate the benefits of regionalism.

Regionalization drives efficiency. To the extent that there are barriers to regionalization, those barriers should be removed. There are reasons that some entities might not join together, but this bill will help create greater similarities between fire districts and city fire departments.

(Opposed) None.

Persons Testifying: Representative McBride, prime sponsor; John Kevin Nalder, Kirkland Fire; and Geoff Simpson, Washington State Council of Fire Fighters.

Persons Signed In To Testify But Not Testifying: None.