

Ethan Moreno (360) 786-7386  
House Committee on Local Government  
December 09, 2014 (10:18 AM)

1 AN ACT Relating to establishing regional fire protection authorities  
2 within the boundaries of regional cities;

3

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

5

6 **Sec. 1.** RCW 52.26.020 and 2011 c 141 s 1 are each amended to  
7 read as follows:

8 The definitions in this section apply throughout this chapter  
9 unless the context clearly requires otherwise.

10 (1) "Board" means the governing body of a regional fire  
11 protection service authority.

12 (2) "Elected official" means an elected official of a  
13 participating fire protection jurisdiction or a regional fire  
14 protection district commissioner created under RCW 52.26.080.

15 (3) "Fire protection jurisdiction" means a fire district, city,  
16 town, port district, municipal airport, or Indian tribe.

17 (4) "Participating fire protection jurisdiction" means a fire  
18 protection jurisdiction participating in the formation or operation  
19 of a regional fire protection service authority.

1 (5) "Regional city" means a city with either not less than forty  
2 percent of the total population of the county or fifty thousand  
3 residents.

4 (6) "Regional fire protection service authority" or "authority"  
5 means a municipal corporation, an independent taxing authority  
6 within the meaning of Article VII, section 1 of the state  
7 Constitution, and a taxing district within the meaning of Article  
8 VII, section 2 of the state Constitution, whose boundaries are  
9 coextensive with either two or more adjacent fire protection  
10 jurisdictions or a regional city and that has been created by a vote  
11 of the people under this chapter to implement a regional fire  
12 protection service authority plan.

13 (~~(6)~~) (7) "Regional fire protection service authority plan" or  
14 "plan" means a plan to develop and finance a fire protection service  
15 authority project or projects, including, but not limited to,  
16 specific capital projects, fire operations and emergency service  
17 operations pursuant to RCW 52.26.040(3)(b), and preservation and  
18 maintenance of existing or future facilities.

19 (~~(7)~~) (8) "Regional fire protection service authority planning  
20 committee" or "planning committee" means the advisory committee  
21 created under RCW 52.26.030 to create and propose to fire protection  
22 jurisdictions a regional fire protection service authority plan to  
23 design, finance, and develop fire protection and emergency service  
24 projects.

25 (~~(8)~~) (9) "Regular property taxes" has the same meaning as in  
26 RCW 84.04.140.

27  
28 **Sec. 2.** RCW 52.26.030 and 2004 c 129 s 3 are each amended to  
29 read as follows:

30 Regional fire protection service authority planning committees  
31 are advisory entities that are created, convened, and empowered as  
32 follows:

33 (1) Any two or more adjacent fire protection jurisdictions or a  
34 regional city may create a regional fire protection service

1 authority and convene a regional fire protection service authority  
2 planning committee. No fire protection jurisdiction may participate  
3 in more than one authority.

4 (2) Each governing body of the fire protection jurisdiction or  
5 jurisdictions participating in planning under this chapter shall  
6 appoint three elected officials to the authority planning committee.  
7 Members of the planning committee may receive compensation of  
8 seventy dollars per day, or portion thereof, not to exceed seven  
9 hundred dollars per year, for attendance at planning committee  
10 meetings and for performance of other services in behalf of the  
11 authority, and may be reimbursed for travel and incidental expenses  
12 at the discretion of their respective governing body.

13 (3) A regional fire protection service authority planning  
14 committee may receive state funding, as appropriated by the  
15 legislature, ~~((or))~~ county funding provided by the affected  
16 counties, or city funding provided by a regional city for start-up  
17 funding to pay for salaries, expenses, overhead, supplies, and  
18 similar expenses ordinarily and necessarily incurred. Upon creation  
19 of a regional fire protection service authority, the authority shall  
20 within one year reimburse the state ~~((or))~~, county, or regional city  
21 for any sums advanced for ~~((these))~~ start-up costs ~~((from the state~~  
22 ~~or county))~~.

23 (4) The planning committee shall conduct its affairs and  
24 formulate a regional fire protection service authority plan as  
25 provided under RCW 52.26.040.

26 (5) At its first meeting, a regional fire protection service  
27 authority planning committee may elect officers and provide for the  
28 adoption of rules and other operating procedures.

29 (6) The planning committee may dissolve itself at any time by a  
30 majority vote of the total membership of the planning committee. Any  
31 participating fire protection jurisdiction may withdraw upon thirty  
32 calendar days' written notice to the other participating  
33 jurisdictions, if any.

1       **Sec. 3.** RCW 52.26.040 and 2011 c 141 s 2 are each amended to  
2 read as follows:

3       (1) A regional fire protection service authority planning  
4 committee shall adopt a regional fire protection service authority  
5 plan providing for the governance, design, financing, and  
6 development of fire protection and emergency services. The planning  
7 committee may consider the following factors in formulating its  
8 plan:

9       (a) Land use planning criteria; and

10       (b) The input of cities and counties located within, or  
11 partially within, a participating fire protection jurisdiction.

12       (2) The planning committee may coordinate its activities with  
13 neighboring cities, towns, and other local governments that engage  
14 in fire protection planning.

15       (3) The planning committee shall:

16       (a) Create opportunities for public input in the development of  
17 the plan;

18       (b) (i) Adopt a plan proposing the creation of a regional fire  
19 protection service authority and recommending governance, design,  
20 financing, and development of fire protection and emergency service  
21 facilities and operations, including maintenance and preservation of  
22 facilities or systems. The plan may authorize the authority to  
23 establish a system of ambulance service to be operated by the  
24 authority or operated by contract after a call for bids.

25       ~~((However,))~~ (ii) The authority shall not provide for the  
26 establishment of an ambulance service that would compete with any  
27 existing private ambulance service, unless the authority determines  
28 that the region served by the authority, or a substantial portion of  
29 the region served by the authority, is not adequately served by an  
30 existing private ambulance service. In determining the adequacy of  
31 an existing private ambulance service, the authority shall take into  
32 consideration objective generally accepted medical standards and  
33 reasonable levels of service which must be published by the  
34 authority. Following the preliminary conclusion by the authority

1 that the existing private ambulance service is inadequate, and  
2 before establishing an ambulance service or issuing a call for bids,  
3 the authority shall allow a minimum of sixty days for the private  
4 ambulance service to meet the generally accepted medical standards  
5 and accepted levels of service. In the event of a second preliminary  
6 conclusion of inadequacy within a twenty-four-month period, the  
7 authority may immediately issue a call for bids or establish its own  
8 ambulance service and is not required to afford the private  
9 ambulance service another sixty-day period to meet the generally  
10 accepted medical standards and reasonable levels of service. A  
11 private ambulance service that is not licensed by the department of  
12 health or whose license is denied, suspended, or revoked is not  
13 entitled to a sixty-day period within which to demonstrate adequacy  
14 and the authority may immediately issue a call for bids or establish  
15 an ambulance service; and

16 (c) In the plan, recommend sources of revenue authorized by RCW  
17 52.26.050, identify the portions of the plan that may be amended by  
18 the board of the authority without voter approval, consistent with  
19 RCW 52.26.050, and recommend a financing plan to fund selected fire  
20 protection and emergency services and projects.

21 (4) Once adopted, the plan must be forwarded to the governing  
22 body or bodies of participating fire protection (~~(jurisdictions'~~  
23 ~~governing bodies)~~) jurisdictions to initiate the election process  
24 under RCW 52.26.060.

25 (5) If the ballot measure is not approved, the planning  
26 committee may redefine the selected regional fire protection service  
27 authority projects, financing plan, and the ballot measure. The fire  
28 protection jurisdictions' governing bodies may approve the new plan  
29 and ballot measure, and may then submit the revised proposition to  
30 the voters at a subsequent election or a special election. If a  
31 ballot measure is not approved by the voters by the third vote, the  
32 planning committee is dissolved.

33  
34

