
SECOND ENGROSSED SUBSTITUTE SENATE BILL 6013

State of Washington

53rd Legislature

1994 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Haugen, Winsley, Skratek, Vognild, Snyder, Sheldon, McAuliffe and Ludwig)

Read first time 01/24/94.

1 AN ACT Relating to fire protection services; amending RCW
2 43.63A.300, 43.63A.310, 43.63A.320, 43.63A.340, 43.63A.377, 48.48.060,
3 48.48.065, 48.48.080, 52.12.031, and 84.52.043; adding a new section to
4 chapter 43.10 RCW; adding new sections to chapter 84.52 RCW; creating
5 new sections; repealing RCW 48.48.120; and providing for submission of
6 this act to a vote of the people.

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

8 **Sec. 1.** RCW 43.63A.300 and 1993 c 280 s 68 are each amended to
9 read as follows:

10 The legislature finds that fire protection services at the state
11 level are provided by different, independent state agencies. This has
12 resulted in a lack of a comprehensive state-level focus for state fire
13 protection services, funding, and policy. The legislature further
14 finds that the paramount duty of the state in fire protection services
15 is to enhance the capacity of all local jurisdictions to assure that
16 their personnel with fire suppression, prevention, inspection, origin
17 and cause, and arson investigation responsibilities are adequately
18 trained to discharge their responsibilities. It is the intent of the
19 legislature to consolidate fire protection services into a single state

1 agency and to create a state board with the responsibility of (1)
2 establishing a comprehensive state policy regarding fire protection
3 services and (2) advising the (~~director of community, trade, and~~
4 ~~economic development~~) governor and the director of fire protection on
5 matters relating to their duties under state law. It is also the
6 intent of the legislature that the fire protection services program
7 created herein will assist local fire protection agencies in program
8 development without encroaching upon their historic autonomy. It is
9 the further intent of the legislature that the fire protection services
10 program be implemented incrementally to assure a smooth transition, to
11 build local, regional, and state capacity, and to avoid undue burdens
12 on jurisdictions with limited resources.

13 **Sec. 2.** RCW 43.63A.310 and 1986 c 266 s 55 are each amended to
14 read as follows:

15 There is created the state fire protection policy board consisting
16 of (~~ten~~) eight members appointed by the governor:

17 (1) (~~Three~~) One representative(~~s~~) of fire chiefs(~~.—At least~~
18 ~~one shall be from a fire department east of the Cascade mountains and~~
19 ~~at least one shall be from a fire department west of the Cascade~~
20 ~~mountains.—One shall be from a fire protection district~~);

21 (2) One insurance industry representative;

22 (3) One representative of cities and towns;

23 (4) One representative of counties;

24 (5) (~~Two~~) One full-time, paid, career fire fighter(~~s~~);

25 (6) One volunteer fire fighter; (~~and~~)

26 (7) One representative of fire commissioners; and

27 (8) One representative of fire control programs of the department
28 of natural resources.

29 In making the appointments required under subsections (1) through
30 (7) of this section, the governor shall (a) seek the advice of and
31 consult with organizations involved in fire protection; and (b) ensure
32 that racial minorities, women, and persons with disabilities are
33 represented.

34 The terms of the appointed members of the board shall be three
35 years and until a successor is appointed and qualified. However,
36 initial board members shall be appointed as follows: Three members to
37 terms of one year, three members to terms of two years, and four
38 members to terms of three years. In the case of a vacancy of a member

1 appointed under subsections (1) through (7) of this section, the
2 governor shall appoint a new representative to fill the unexpired term
3 of the member whose office has become vacant. A vacancy shall occur
4 whenever an appointed member ceases to be employed in the occupation
5 the member was appointed to represent. The members of the board
6 appointed pursuant to subsections (1) and (5) of this section and
7 holding office on the effective date of this act shall serve the
8 remainder of their terms, and the reduction of the board required by
9 section 2, chapter ---, Laws of 1994 (this section), shall occur upon
10 the expiration of their terms.

11 The appointed members of the board shall be reimbursed for travel
12 expenses under RCW 43.03.050 and 43.03.060.

13 The board shall select its own chairperson and shall meet at the
14 request of the governor or the chairperson and at least four times per
15 year.

16 **Sec. 3.** RCW 43.63A.320 and 1993 c 280 s 69 are each amended to
17 read as follows:

18 Except for matters relating to the statutory duties of the director
19 of community, trade, and economic development which are to be carried
20 out through the director of fire protection, the board shall have the
21 responsibility of developing a comprehensive state policy regarding
22 fire protection services. In carrying out its duties, the board shall:

23 (1)(a) Adopt a state fire training and education master plan which
24 allows to the maximum feasible extent for negotiated agreements: (i)
25 With the state board for community and technical colleges to provide
26 academic, vocational, and field training programs for the fire service
27 and (ii) with the higher education coordinating board and the state
28 colleges and universities to provide instructional programs requiring
29 advanced training, especially in command and management skills;

30 (b) Adopt minimum standards for each level of responsibility among
31 personnel with fire suppression, prevention, inspection, and
32 investigation responsibilities which assure continuing assessment of
33 skills and are flexible enough to meet emerging technologies. With
34 particular respect to training for fire investigations, the master plan
35 shall encourage cross training in appropriate law enforcement skills.
36 To meet special local needs, fire agencies may adopt more stringent
37 requirements than those adopted by the state;

1 (c) Cooperate with the common schools, technical and community
2 colleges, institutions of higher education, and any department or
3 division of the state, or of any county or municipal corporation in
4 establishing and maintaining instruction in fire service training and
5 education in accordance with any act of congress and legislation
6 enacted by the legislature in pursuance thereof and in establishing,
7 building, and operating training and education facilities.

8 Industrial fire departments and private fire investigators may
9 participate in training and education programs under this chapter for
10 a reasonable fee established by rule;

11 (d) Develop and adopt a master plan for constructing, equipping,
12 maintaining, and operating necessary fire service training and
13 education facilities subject to the provisions of chapter 43.19 RCW;
14 and

15 (e) Develop and adopt a master plan for the purchase, lease, or
16 other acquisition of real estate necessary for fire service training
17 and education facilities in a manner provided by law.

18 (2) In addition to its responsibilities for fire service training,
19 the board shall:

20 (a) Adopt a state fire protection master plan;

21 ~~((+2))~~ (b) Monitor fire protection in the state and develop
22 objectives and priorities to improve fire protection for the state's
23 citizens including: (i) The comprehensiveness of state and local
24 inspections required by law for fire and life safety; (ii) the level of
25 skills and training of inspectors, as well as needs for additional
26 training; and (iii) the efforts of local, regional, and state
27 inspection agencies to improve coordination and reduce duplication
28 among inspection efforts;

29 ~~((+3))~~ (c) Establish and promote state arson control programs and
30 ensure development of local arson control programs;

31 ~~((+4))~~ (d) Provide representation for local fire protection
32 services to the governor in state-level fire protection planning
33 matters such as, but not limited to, hazardous materials control;

34 ~~((+5))~~ (e) Seek and solicit grants, gifts, bequests, ~~((devices))~~
35 devises, and matching funds for use in furthering the objectives and
36 duties of the board, and establish procedures for administering them;

37 ~~((+6))~~ (f) Promote mutual aid and disaster planning for fire
38 services in this state;

1 ~~((7))~~ (g) Assure the dissemination of information concerning the
2 amount of fire damage including that damage caused by arson, and its
3 causes and prevention;

4 ~~((8))~~ (h) Submit ~~((annually a))~~ an annual report to the governor
5 ~~((containing a statement of))~~ describing its ~~((official acts))~~
6 activities undertaken pursuant to this chapter, and make such studies,
7 reports, and recommendations to the governor and the legislature as are
8 requested; and

9 ~~((9) Adopt a state fire training and education master plan;~~

10 ~~(10) Develop and adopt a master plan for the construction,~~
11 ~~equipping, maintaining, and operation of necessary fire service~~
12 ~~training and education facilities, but the authority to construct,~~
13 ~~equip, and maintain such facilities is subject to chapter 43.19 RCW;~~

14 ~~(11) Develop and adopt a master plan for the purchase, lease, or~~
15 ~~other acquisition of real estate necessary to establish and operate~~
16 ~~fire service training and education facilities in a manner provided by~~
17 ~~law;~~

18 ~~(12) Adopt standards for state wide fire service training and~~
19 ~~education courses including courses in arson detection and~~
20 ~~investigation for personnel of fire, police, and prosecutor's~~
21 ~~departments;~~

22 ~~(13) Assure the administration of)~~ (i) Implement any legislation
23 enacted by the legislature ~~((in pursuance of the aims and purposes))~~ to
24 meet the requirements of any acts of congress ~~((insofar as the~~
25 ~~provisions thereof may))~~ that apply~~((;~~

26 ~~(14) Cooperate with the common schools, community colleges,~~
27 ~~institutions of higher education, and any department or division of the~~
28 ~~state, or of any county or municipal corporation in establishing and~~
29 ~~maintaining instruction in fire service training and education in~~
30 ~~accordance with any act of Congress and legislation enacted by the~~
31 ~~legislature in pursuance thereof and in establishing, building, and~~
32 ~~operating training and education facilities.~~

33 This section does not apply to forest fire service personnel and
34 programs. Industrial fire departments and private fire investigators
35 may participate in training and education programs under this chapter
36 for a reasonable fee established by rule) to this section.

37 (3) In carrying out its statutory duties, the board shall give
38 particular consideration to the appropriate roles to be played by the
39 state and by local jurisdictions with fire protection responsibilities.

1 Any determinations on the division of responsibility shall be made in
2 consultation with local fire officials and their representatives.

3 To the extent possible, the board shall encourage development of
4 regional units along compatible geographic, population, economic, and
5 fire risk dimensions. Such regional units may serve to: (a) Reinforce
6 coordination among state and local activities in fire service training,
7 reporting, inspections, and investigations; (b) identify areas of
8 special need, particularly in smaller jurisdictions with inadequate
9 resources; (c) assist the state in its oversight responsibilities; (d)
10 identify funding needs and options at both the state and local levels;
11 and (e) provide models for building local capacity in fire protection
12 programs.

13 **Sec. 4.** RCW 43.63A.340 and 1993 c 280 s 71 are each amended to
14 read as follows:

15 (1) Wherever the term state fire marshal appears in the Revised
16 Code of Washington or the Washington Administrative Code it shall mean
17 the director of fire protection.

18 (2) The ~~((director of community, trade, and economic development))~~
19 governor shall appoint an assistant director who shall be known as the
20 director of fire protection. The board, after consulting with the
21 ~~((director))~~ governor, shall prescribe qualifications for the position
22 of director of fire protection. The board shall submit to the
23 ~~((director))~~ governor a list containing the names of three persons whom
24 the board believes meet its qualifications. If requested by the
25 ~~((director))~~ governor, the board shall submit one additional list of
26 three persons whom the board believes meet its qualifications. The
27 appointment shall be from one of the lists of persons submitted by the
28 board.

29 (3) The director of fire protection may designate one or more
30 deputies and may delegate to those deputies his or her duties and
31 authorities as deemed appropriate.

32 (4) The ~~((director of community, trade, and economic development,~~
33 ~~through the))~~ director of fire protection~~((,))~~ shall~~((, after~~
34 ~~consultation with the board,))~~ prepare a biennial budget pertaining to
35 fire protection services. Such biennial budget shall be submitted as
36 part of the department's budget request.

37 (5) The ~~((director of community, trade, and economic development,~~
38 ~~through the))~~ director of fire protection~~((,))~~ shall implement and

1 administer, within the constraints established by budgeted resources,
2 the policies of the board (~~and all duties of the director of~~
3 ~~community, trade, and economic development which are to be carried out~~
4 ~~through the director of fire protection~~). Such administration shall
5 include negotiation of agreements with the state board for community
6 and technical colleges, the higher education coordinating board, and
7 the state colleges and universities as provided in RCW 43.63A.320.
8 Programs covered by such agreements shall include, but not be limited
9 to, planning curricula, developing and delivering instructional
10 programs and materials, and utilizing existing instructional personnel
11 and facilities. Where appropriate, such contracts shall also include
12 planning and conducting instructional programs at the state fire
13 service training center.

14 (6) The (~~director of community, trade, and economic development,~~
15 ~~through the~~) director of fire protection(~~(7)~~) shall seek the advice of
16 the board in carrying out his or her duties under law.

17 **Sec. 5.** RCW 43.63A.377 and 1991 c 135 s 3 are each amended to read
18 as follows:

19 Money from the fire services trust fund may be expended for the
20 following purposes:

21 (1) Training of fire service personnel, including both classroom
22 and hands-on training at the state fire training center or other
23 locations approved by the director through the director of fire
24 protection services;

25 (2) Maintenance and operation at the state's fire training center
26 near North Bend. If in the future the state builds or leases other
27 facilities as other fire training centers, a portion of these moneys
28 may be used for the maintenance and operation at these centers;

29 (3) Lease or purchase of equipment for use in the provisions of
30 training to fire service personnel;

31 (4) Grants or other subsidies to local (~~(entities)~~) jurisdictions
32 to allow them to perform their functions under this section;

33 (5) Costs of administering these programs under this section;

34 (6) Licensing and enforcement of state laws governing the sales of
35 fireworks; and

36 (7) Development with the legal fireworks industry and funding of a
37 state-wide public education program for fireworks safety.

1 **Sec. 6.** RCW 48.48.060 and 1986 c 266 s 71 are each amended to read
2 as follows:

3 (1) The chief of each organized fire department, the sheriff or
4 other designated county official, and the designated city or town
5 official shall investigate the cause~~(())~~ and origin, and document
6 extent of ~~((loss))~~ damage of all fires occurring within their
7 respective jurisdictions, as determined by this subsection, and shall
8 forthwith notify the ~~((director of community development, through the))~~
9 director of fire protection~~(())~~ of all fires of criminal, suspected,
10 or undetermined cause occurring within their respective jurisdictions.
11 The county fire marshal shall also be notified of and investigate all
12 such fires occurring in unincorporated areas of the county. Fire
13 departments shall have the responsibility imposed by this subsection
14 for areas within their jurisdictions. Sheriffs or other designated
15 county officials shall have responsibility imposed by this subsection
16 for county areas not within the jurisdiction of a fire department,
17 unless such areas are within the boundaries of a city or town, in which
18 case the designated city or town official shall have the responsibility
19 imposed by this subsection. For the purposes of this subsection,
20 county officials shall be designated by the county legislative
21 authority, and city or town officials shall be designated by the
22 appropriate city or town legislative or executive authority. In
23 addition to the responsibility imposed by this subsection, any sheriff
24 or chief of police may assist in the investigation of the cause~~(())~~
25 and origin, and document extent of ~~((loss))~~ damage of all fires
26 occurring within his or her respective jurisdiction.

27 (2) The ~~((director of community development, through the))~~ director
28 of fire protection or his or her deputy~~(())~~ may investigate any fire
29 for the purpose of determining its cause, origin, and the extent of the
30 loss. The ~~((director of community development, through the))~~ director
31 of fire protection or his or her deputy~~(())~~ shall assist in the
32 investigation of those fires of criminal, suspected, or undetermined
33 cause when requested by the reporting agency. In the investigation of
34 any fire of criminal, suspected, or undetermined cause, the ~~((director~~
35 ~~of community development and the))~~ director of fire protection or his
36 or her deputy~~(())~~ are vested with police powers to enforce the laws of
37 this state. To exercise these powers, authorized deputies must receive
38 prior written authorization from the ~~((director of community~~
39 ~~development, through the))~~ director of fire protection~~(())~~ and shall

1 have completed a course of training prescribed by the Washington state
2 criminal justice training commission.

3 **Sec. 7.** RCW 48.48.065 and 1986 c 266 s 72 are each amended to read
4 as follows:

5 (1) The chief of each organized fire department, or the sheriff or
6 other designated county official having jurisdiction over areas not
7 within the jurisdiction of any fire department, shall report
8 statistical information and data to the ~~((director of community
9 development, through the))~~ director of fire protection~~((7))~~ on each
10 fire occurring within the official's jurisdiction. Reports shall be
11 consistent with the national fire incident reporting system developed
12 by the United States fire administration and rules established by the
13 ~~((director of community development, through the director of))~~ fire
14 protection policy board. The ~~((director of community development,
15 through the))~~ director of fire protection~~((7))~~ and the department of
16 natural resources shall jointly determine the statistical information
17 to be reported on fires on land under the jurisdiction of the
18 department of natural resources.

19 (2) The ~~((director of community development, through the))~~ director
20 of fire protection~~((7))~~ shall analyze the information and data
21 reported, compile a report, and distribute a copy annually by ~~((January
22 31))~~ June 30 to each chief fire official in the state. Upon request,
23 the ~~((director of community development, through the))~~ director of fire
24 protection~~((7))~~ shall also furnish a copy of the report to any other
25 interested person at cost.

26 (3) In carrying out the duties relating to collecting, analyzing,
27 and reporting statistical fire data, the fire protection policy board
28 may contract with a qualified individual or organization to gather and
29 report such information under the following conditions:

30 (a) The contractor may be selected under the sole source provisions
31 of chapter 39.29 RCW, so long as the contractor meets the
32 qualifications of that chapter; and

33 (b) The information provided meets the diverse needs of state and
34 local fire reporting agencies and is (i) defined in understandable
35 terms of common usage in the fire community; (ii) adaptable to the
36 varying levels of resources available, including whether a given
37 client's system is operated electronically or not; (iii) maintained in

1 a manner which will foster both technical support and resource sharing;
2 and (iv) designed to meet both short and long-term needs.

3 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.10 RCW
4 to read as follows:

5 (1) The legislature finds that provisions for information systems
6 relating to statistics and reporting for fire prevention, suppression,
7 and damage control do not adequately address the needs of ongoing
8 investigations of fire incidents where the cause is suspected or
9 determined to be the result of negligence or otherwise suggestive of
10 some criminal activity, particularly that of arson. It is the intent
11 of the legislature to establish an information and reporting system
12 designed specifically to assist state and local officers in conducting
13 such investigations and, where substantiated, to undertake prosecution
14 of individuals suspected of such activities.

15 (2)(a) In addition to the information provided by local officials
16 about the cause, origin, and extent of loss in fires under chapter
17 48.48 RCW, there is hereby created the state arson investigation
18 information system in the office of the attorney general.

19 (b) The attorney general shall develop the arson investigation
20 information system in consultation with representatives of the various
21 state and local officials charged with investigating fires resulting
22 from suspicious or criminal activities under chapter 48.48 RCW and of
23 the insurance industry.

24 (c) The arson investigation information system shall be designed to
25 include at least the following attributes: (i) The information
26 gathered and reported shall meet the diverse needs of state and local
27 investigating agencies; (ii) the forms and reports are drafted in
28 understandable terms of common usage; and (iii) the results shall be
29 adaptable to the varying levels of available resources, maintained in
30 a manner to foster data sharing and mutual aid activities, and made
31 available to other law enforcement agencies responsible for criminal
32 investigations.

33 (d) All insurers required to report claim information under the
34 provisions of chapter 48.50 RCW shall cooperate fully with any requests
35 from the attorney general in developing and maintaining the arson
36 investigation information system. The confidentiality provisions of
37 that chapter shall be fully enforced.

1 **Sec. 9.** RCW 48.48.080 and 1986 c 266 s 74 are each amended to read
2 as follows:

3 If as the result of any such investigation, or because of any
4 information received, the (~~director of community development, through~~
5 ~~the~~) director of fire protection((~~7~~)) is of the opinion that there is
6 evidence sufficient to charge any person with any crime, he or she may
7 cause such person to be arrested and charged with such offense, and
8 shall furnish to the prosecuting attorney of the county in which the
9 offense was committed, the names of witnesses and all pertinent and
10 material evidence and testimony within his or her possession relative
11 to the offense.

12 **Sec. 10.** RCW 52.12.031 and 1986 c 311 s 1 are each amended to read
13 as follows:

14 Any fire protection district organized under this title may:

15 (1) Lease, acquire, own, maintain, operate, and provide fire and
16 emergency medical apparatus and all other necessary or proper
17 facilities, machinery, and equipment for the prevention and suppression
18 of fires, the providing of emergency medical services and the
19 protection of life and property;

20 (2) Lease, acquire, own, maintain, and operate real property,
21 improvements, and fixtures for housing, repairing, and maintaining the
22 apparatus, facilities, machinery, and equipment described in subsection
23 (1) of this section;

24 (3) Contract with any governmental entity under chapter 39.34 RCW
25 or private person or entity to consolidate, provide, or cooperate for
26 fire prevention protection, fire suppression, investigation, and
27 emergency medical purposes. In so contracting, the district or
28 governmental entity is deemed for all purposes to be acting within its
29 governmental capacity. This contracting authority includes the
30 furnishing of fire prevention, fire suppression, investigation,
31 emergency medical services, facilities, and equipment to or by the
32 district, governmental entity, or private person or entity;

33 (4) Encourage uniformity and coordination of fire protection
34 district operations. The fire commissioners of fire protection
35 districts may form an association to secure information of value in
36 suppressing and preventing fires and other district purposes, to hold
37 and attend meetings, and to promote more economical and efficient
38 operation of the associated fire protection districts. The

1 commissioners of fire protection districts in the association shall
2 adopt articles of association or articles of incorporation for a
3 nonprofit corporation, select a chairman, secretary, and other officers
4 as they may determine, and may employ and discharge agents and
5 employees as the officers deem convenient to carry out the purposes of
6 the association. The expenses of the association may be paid from
7 funds paid into the association by fire protection districts:
8 PROVIDED, That the aggregate contributions made to the association by
9 a district in a calendar year shall not exceed two and one-half cents
10 per thousand dollars of assessed valuation;

11 (5) Enter into contracts to provide group life insurance for the
12 benefit of the personnel of the fire districts;

13 (6) Perform building and property inspections that the district
14 deems necessary to provide fire prevention services and pre-fire
15 planning within the district and any area that the district serves by
16 contract in accordance with RCW 19.27.110: PROVIDED, That codes used
17 by the district for building and property inspections shall be limited
18 to the applicable codes adopted by the state, county, city, or town
19 that has jurisdiction over the area in which the property is located.
20 A copy of inspection reports prepared by the district shall be
21 furnished by the district to the appropriate state, county, city, or
22 town that has jurisdiction over the area in which the property is
23 located: PROVIDED, That nothing in this subsection shall be construed
24 to grant code enforcement authority to a district. This subsection
25 shall not be construed as imposing liability on any governmental
26 jurisdiction;

27 (7) Determine the origin and cause of fires occurring within the
28 district and any area the district serves by contract. In exercising
29 the authority conferred by this subsection, the fire protection
30 district and its authorized representatives shall comply with the
31 provisions of RCW 48.48.060;

32 (8) Perform acts consistent with this title and not otherwise
33 prohibited by law.

34 NEW SECTION. **Sec. 11.** The association of fire commissioners that
35 is authorized to be formed under RCW 52.12.031(4), the association of
36 Washington cities, and the Washington state association of counties
37 shall submit a report on achieving greater efficiency in the delivery
38 of fire protection services to the government operations committee of

1 the senate and the local government committee of the house of
2 representatives on or before December 31, 1994.

3 NEW SECTION. **Sec. 12.** The state fire protection policy board
4 shall conduct a study on the overlapping and confusing jurisdiction and
5 responsibilities of local governments concerning fire investigation.
6 The board shall make recommendations to the government operations
7 committee of the senate and the local government committee of the house
8 of representatives on or before December 31, 1994.

9 NEW SECTION. **Sec. 13.** The department of natural resources and the
10 association of fire commissioners shall submit a report on the
11 feasibility of providing fire protection for lands that are not
12 federally protected, not protected by the department of natural
13 resources, and not within the boundaries of a fire protection district
14 to the government operations committee of the senate and the local
15 government committee of the house of representatives on or before
16 December 31, 1994.

17 NEW SECTION. **Sec. 14.** This act does not apply to forest fire
18 service personnel and programs.

19 NEW SECTION. **Sec. 15.** RCW 48.48.120 and 1947 c 79 s .33.12 are
20 each repealed.

21 **Sec. 16.** RCW 84.52.043 and 1993 c 337 s 3 are each amended to read
22 as follows:

23 Within and subject to the limitations imposed by RCW 84.52.050 as
24 amended, the regular ad valorem tax levies upon real and personal
25 property by the taxing districts hereafter named shall be as follows:

26 (1) Levies of the senior taxing districts shall be as follows: (a)
27 The levy by the state under RCW 84.52.065 shall not exceed three
28 dollars and sixty cents per thousand dollars of assessed value adjusted
29 to the state equalized value in accordance with the indicated ratio
30 fixed by the state department of revenue to be used exclusively for the
31 support of the common schools; (b) the levy by the state under section
32 17 of this act shall not exceed two cents per thousand dollars of
33 assessed value adjusted to the state equalized value in accordance with
34 the indicated ratio fixed by the state department of revenue to be used

1 exclusively for state fire protection services; (c) the levy by any
2 county shall not exceed one dollar and eighty cents per thousand
3 dollars of assessed value; (~~(+e)~~) (d) the levy by any road district
4 shall not exceed two dollars and twenty-five cents per thousand dollars
5 of assessed value; and (~~(+d)~~) (e) the levy by any city or town shall
6 not exceed three dollars and thirty-seven and one-half cents per
7 thousand dollars of assessed value. However any county is hereby
8 authorized to increase its levy from one dollar and eighty cents to a
9 rate not to exceed two dollars and forty-seven and one-half cents per
10 thousand dollars of assessed value for general county purposes if the
11 total levies for both the county and any road district within the
12 county do not exceed four dollars and five cents per thousand dollars
13 of assessed value, and no other taxing district has its levy reduced as
14 a result of the increased county levy.

15 (2) The aggregate levies of junior taxing districts and senior
16 taxing districts, other than the state, shall not exceed five dollars
17 and ninety cents per thousand dollars of assessed valuation. The term
18 "junior taxing districts" includes all taxing districts other than the
19 state, counties, road districts, cities, towns, port districts, and
20 public utility districts. The limitations provided in this subsection
21 shall not apply to: (a) Levies at the rates provided by existing law
22 by or for any port or public utility district; (b) excess property tax
23 levies authorized in Article VII, section 2 of the state Constitution;
24 (c) levies for acquiring conservation futures as authorized under RCW
25 84.34.230; (d) levies for emergency medical care or emergency medical
26 services imposed under RCW 84.52.069; and (e) levies to finance
27 affordable housing for very low-income housing imposed under RCW
28 84.52.105.

29 NEW SECTION. Sec. 17. A new section is added to chapter 84.52 RCW
30 to read as follows:

31 Subject to the limitations in RCW 84.55.010, in each year the state
32 shall levy for collection in the following year for state fire
33 protection responsibilities within the department of community, trade,
34 and economic development a tax of two cents per thousand dollars of
35 assessed value upon the assessed valuation of all taxable property
36 within the state, except classified or designated forest land under
37 chapter 84.33 RCW, adjusted to the state equalized value in accordance
38 with the indicated ratio fixed by the state department of revenue.

1 NEW SECTION. **Sec. 18.** A new section is added to chapter 84.52 RCW
2 to read as follows:

3 When a county assessor finds that the aggregate of all regular tax
4 levies upon real and personal property by the state and all taxing
5 districts other than a port or public utility district exceeds the
6 limitation set forth in RCW 84.52.050, the assessor shall recompute and
7 establish a consolidated levy as follows:

8 (1) If the limitation is exceeded only as a result of the levy
9 authorized in section 17 of this act adjusted to the local levy rate in
10 accordance with the indicated ratio fixed by the department, the
11 certified property tax levy rates authorized under RCW 84.52.043(1)(e)
12 and 52.16.140 shall be reduced on a pro rata basis until the limitation
13 is not exceeded;

14 (2) If the limitation is exceeded as a result of both the levy
15 authorized in section 17 of this act adjusted to the local levy rate in
16 accordance with the indicated ratio fixed by the department and other
17 tax levies, the pro rationing process provided in RCW 84.52.010 shall
18 be followed until the limitation is exceeded only as a result of the
19 levy authorized in section 17 of this act, and the consolidated levy
20 shall then be further reduced in accordance with subsection (1) of this
21 section.

22 NEW SECTION. **Sec. 19.** This act shall be submitted to the people
23 for their adoption and ratification, or rejection, at the next
24 succeeding general election to be held in this state, in accordance
25 with Article II, section 1 of the state Constitution, as amended, and
26 the laws adopted to facilitate the operation thereof.

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