

2 **ESHB 2676** - S AMD - 000406

3 By Senator Haugen, Winsley, Vognild, McCaslin and Drew

4 ADOPTED 3/8/94

5 On page 134, after line 13, insert the following:

6 "Sec. 754. RCW 43.63A.300 and 1993 c 280 s 68 are each amended to
7 read as follows:

8 The legislature finds that fire protection services at the state
9 level are provided by different, independent state agencies. This has
10 resulted in a lack of a comprehensive state-level focus for state fire
11 protection services, funding, and policy. The legislature further
12 finds that the paramount duty of the state in fire protection services
13 is to enhance the capacity of all local jurisdictions to assure that
14 their personnel with fire suppression, prevention, inspection, origin
15 and cause, and arson investigation responsibilities are adequately
16 trained to discharge their responsibilities. It is the intent of the
17 legislature to consolidate fire protection services into a single state
18 agency and to create a state board with the responsibility of (1)
19 establishing a comprehensive state policy regarding fire protection
20 services and (2) advising the (~~director of community, trade, and~~
21 ~~economic development~~) governor and the director of fire protection on
22 matters relating to their duties under state law. It is also the
23 intent of the legislature that the fire protection services program
24 created herein will assist local fire protection agencies in program
25 development without encroaching upon their historic autonomy. It is
26 the further intent of the legislature that the fire protection services
27 program be implemented incrementally to assure a smooth transition, to
28 build local, regional, and state capacity, and to avoid undue burdens
29 on jurisdictions with limited resources.

30 **Sec. 755.** RCW 43.63A.310 and 1986 c 266 s 55 are each amended to
31 read as follows:

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

34 (1) (~~Three~~) One representative(~~s~~) of fire chiefs(~~. At least~~
35 ~~one shall be from a fire department east of the Cascade mountains and~~

1 ~~at least one shall be from a fire department west of the Cascade~~
2 ~~mountains. One shall be from a fire protection district));~~

3 (2) One insurance industry representative;

4 (3) One representative of cities and towns;

5 (4) One representative of counties;

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

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

8 (7) One representative of fire commissioners; and

9 (8) One representative of fire control programs of the department
10 of natural resources.

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

16 The terms of the appointed members of the board shall be three
17 years and until a successor is appointed and qualified. However,
18 initial board members shall be appointed as follows: Three members to
19 terms of one year, three members to terms of two years, and four
20 members to terms of three years. In the case of a vacancy of a member
21 appointed under subsections (1) through (7) of this section, the
22 governor shall appoint a new representative to fill the unexpired term
23 of the member whose office has become vacant. A vacancy shall occur
24 whenever an appointed member ceases to be employed in the occupation
25 the member was appointed to represent. The members of the board
26 appointed pursuant to subsections (1) and (5) of this section and
27 holding office on the effective date of this act shall serve the
28 remainder of their terms, and the reduction of the board required by
29 section 855, chapter ---, Laws of 1994 (this section), shall occur upon
30 the expiration of their terms.

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

33 The board shall select its own chairperson and shall meet at the
34 request of the governor or the chairperson and at least four times per
35 year.

36 **Sec. 756.** RCW 43.63A.320 and 1993 c 280 s 69 are each amended to
37 read as follows:

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

6 (1)(a) Adopt a state fire training and education master plan which
7 allows to the maximum feasible extent for negotiated agreements: (i)
8 With the state board for community and technical colleges to provide
9 academic, vocational, and field training programs for the fire service
10 and (ii) with the higher education coordinating board and the state
11 colleges and universities to provide instructional programs requiring
12 advanced training, especially in command and management skills;

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

21 (c) Cooperate with the common schools, technical and community
22 colleges, institutions of higher education, and any department or
23 division of the state, or of any county or municipal corporation in
24 establishing and maintaining instruction in fire service training and
25 education in accordance with any act of congress and legislation
26 enacted by the legislature in pursuance thereof and in establishing,
27 building, and operating training and education facilities.

28 Industrial fire departments and private fire investigators may
29 participate in training and education programs under this chapter for
30 a reasonable fee established by rule;

31 (d) Develop and adopt a master plan for constructing, equipping,
32 maintaining, and operating necessary fire service training and
33 education facilities subject to the provisions of chapter 43.19 RCW;
34 and

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

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

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

2 ~~((+2))~~ (b) Monitor fire protection in the state and develop
3 objectives and priorities to improve fire protection for the state's
4 citizens including: (i) The comprehensiveness of state and local
5 inspections required by law for fire and life safety; (ii) the level of
6 skills and training of inspectors, as well as needs for additional
7 training; and (iii) the efforts of local, regional, and state
8 inspection agencies to improve coordination and reduce duplication
9 among inspection efforts;

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

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

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

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

20 ~~((+7))~~ (g) Assure the dissemination of information concerning the
21 amount of fire damage including that damage caused by arson, and its
22 causes and prevention;

23 ~~((+8))~~ (h) Submit ~~((annually a))~~ an annual report to the governor
24 ~~((containing a statement of))~~ describing its ~~((official acts))~~
25 activities undertaken pursuant to this chapter, and make such studies,
26 reports, and recommendations to the governor and the legislature as are
27 requested; and

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

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

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

37 ~~(+12) Adopt standards for state wide fire service training and~~
38 ~~education courses including courses in arson detection and~~

1 investigation for personnel of fire, police, and prosecutor's
2 departments;

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

7 ~~(14) Cooperate with the common schools, community colleges,~~
8 ~~institutions of higher education, and any department or division of the~~
9 ~~state, or of any county or municipal corporation in establishing and~~
10 ~~maintaining instruction in fire service training and education in~~
11 ~~accordance with any act of Congress and legislation enacted by the~~
12 ~~legislature in pursuance thereof and in establishing, building, and~~
13 ~~operating training and education facilities.~~

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

18 (3) In carrying out its statutory duties, the board shall give
19 particular consideration to the appropriate roles to be played by the
20 state and by local jurisdictions with fire protection responsibilities.
21 Any determinations on the division of responsibility shall be made in
22 consultation with local fire officials and their representatives.

23 To the extent possible, the board shall encourage development of
24 regional units along compatible geographic, population, economic, and
25 fire risk dimensions. Such regional units may serve to: (a) Reinforce
26 coordination among state and local activities in fire service training,
27 reporting, inspections, and investigations; (b) identify areas of
28 special need, particularly in smaller jurisdictions with inadequate
29 resources; (c) assist the state in its oversight responsibilities; (d)
30 identify funding needs and options at both the state and local levels;
31 and (e) provide models for building local capacity in fire protection
32 programs.

33 **Sec. 757.** RCW 43.63A.340 and 1993 c 280 s 71 are each amended to
34 read as follows:

35 (1) Wherever the term state fire marshal appears in the Revised
36 Code of Washington or the Washington Administrative Code it shall mean
37 the director of fire protection.

1 (2) The (~~(director of community, trade, and economic development)~~)
2 governor shall appoint an assistant director who shall be known as the
3 director of fire protection. The board, after consulting with the
4 (~~(director)~~) governor, shall prescribe qualifications for the position
5 of director of fire protection. The board shall submit to the
6 (~~(director)~~) governor a list containing the names of three persons whom
7 the board believes meet its qualifications. If requested by the
8 (~~(director)~~) governor, the board shall submit one additional list of
9 three persons whom the board believes meet its qualifications. The
10 appointment shall be from one of the lists of persons submitted by the
11 board.

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

15 (4) The (~~(director of community, trade, and economic development,~~
16 ~~through the)~~) director of fire protection((~~7~~)) shall(~~(7 after~~
17 ~~consultation with the board,~~)) prepare a biennial budget pertaining to
18 fire protection services. Such biennial budget shall be submitted as
19 part of the department's budget request.

20 (5) The (~~(director of community, trade, and economic development,~~
21 ~~through the)~~) director of fire protection((~~7~~)) shall implement and
22 administer, within the constraints established by budgeted resources,
23 the policies of the board (~~(and all duties of the director of~~
24 ~~community, trade, and economic development which are to be carried out~~
25 ~~through the director of fire protection)~~). Such administration shall
26 include negotiation of agreements with the state board for community
27 and technical colleges, the higher education coordinating board, and
28 the state colleges and universities as provided in RCW 43.63A.320.
29 Programs covered by such agreements shall include, but not be limited
30 to, planning curricula, developing and delivering instructional
31 programs and materials, and utilizing existing instructional personnel
32 and facilities. Where appropriate, such contracts shall also include
33 planning and conducting instructional programs at the state fire
34 service training center.

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

1 **Sec. 758.** RCW 43.63A.377 and 1991 c 135 s 3 are each amended to
2 read as follows:

3 Money from the fire services trust fund may be expended for the
4 following purposes:

5 (1) Training of fire service personnel, including both classroom
6 and hands-on training at the state fire training center or other
7 locations approved by the director through the director of fire
8 protection services;

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

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

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

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

18 (6) Licensing and enforcement of state laws governing the sales of
19 fireworks; and

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

22 **Sec. 759.** RCW 48.48.060 and 1986 c 266 s 71 are each amended to
23 read as follows:

24 (1) The chief of each organized fire department, the sheriff or
25 other designated county official, and the designated city or town
26 official shall investigate the cause((~~τ~~)) and origin, and document
27 extent of ((~~loss~~)) damage of all fires occurring within their
28 respective jurisdictions, as determined by this subsection, and shall
29 forthwith notify the ((~~director of community development, through the~~))
30 director of fire protection((~~τ~~)) of all fires of criminal, suspected,
31 or undetermined cause occurring within their respective jurisdictions.
32 The county fire marshal shall also be notified of and investigate all
33 such fires occurring in unincorporated areas of the county. Fire
34 departments shall have the responsibility imposed by this subsection
35 for areas within their jurisdictions. Sheriffs or other designated
36 county officials shall have responsibility imposed by this subsection
37 for county areas not within the jurisdiction of a fire department,
38 unless such areas are within the boundaries of a city or town, in which

1 case the designated city or town official shall have the responsibility
2 imposed by this subsection. For the purposes of this subsection,
3 county officials shall be designated by the county legislative
4 authority, and city or town officials shall be designated by the
5 appropriate city or town legislative or executive authority. In
6 addition to the responsibility imposed by this subsection, any sheriff
7 or chief of police may assist in the investigation of the cause((7))
8 and origin, and document extent of ((loss)) damage of all fires
9 occurring within his or her respective jurisdiction.

10 (2) The ((director of community development, through the)) director
11 of fire protection or his or her deputy((7)) may investigate any fire
12 for the purpose of determining its cause, origin, and the extent of the
13 loss. The ((director of community development, through the)) director
14 of fire protection or his or her deputy((7)) shall assist in the
15 investigation of those fires of criminal, suspected, or undetermined
16 cause when requested by the reporting agency. In the investigation of
17 any fire of criminal, suspected, or undetermined cause, the ((director
18 of community development and the)) director of fire protection or his
19 or her deputy((7)) are vested with police powers to enforce the laws of
20 this state. To exercise these powers, authorized deputies must receive
21 prior written authorization from the ((director of community
22 development, through the)) director of fire protection((7)) and shall
23 have completed a course of training prescribed by the Washington state
24 criminal justice training commission.

25 **Sec. 760.** RCW 48.48.065 and 1986 c 266 s 72 are each amended to
26 read as follows:

27 (1) The chief of each organized fire department, or the sheriff or
28 other designated county official having jurisdiction over areas not
29 within the jurisdiction of any fire department, shall report
30 statistical information and data to the ((director of community
31 development, through the)) director of fire protection((7)) on each
32 fire occurring within the official's jurisdiction. Reports shall be
33 consistent with the national fire incident reporting system developed
34 by the United States fire administration and rules established by the
35 ((director of community development, through the director of)) fire
36 protection policy board. The ((director of community development,
37 through the)) director of fire protection((7)) and the department of
38 natural resources shall jointly determine the statistical information

1 to be reported on fires on land under the jurisdiction of the
2 department of natural resources.

3 (2) The (~~director of community development, through the~~) director
4 of fire protection(~~(-)~~) shall analyze the information and data
5 reported, compile a report, and distribute a copy annually by (~~January~~
6 ~~31~~) June 30 to each chief fire official in the state. Upon request,
7 the (~~director of community development, through the~~) director of fire
8 protection(~~(-)~~) shall also furnish a copy of the report to any other
9 interested person at cost.

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

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

17 (b) The information provided meets the diverse needs of state and
18 local fire reporting agencies and is (i) defined in understandable
19 terms of common usage in the fire community; (ii) adaptable to the
20 varying levels of resources available, including whether a given
21 client's system is operated electronically or not; (iii) maintained in
22 a manner which will foster both technical support and resource sharing;
23 and (iv) designed to meet both short and long-term needs.

24 NEW SECTION. Sec. 761. A new section is added to chapter 43.10
25 RCW to read as follows:

26 (1) The legislature finds that provisions for information systems
27 relating to statistics and reporting for fire prevention, suppression,
28 and damage control do not adequately address the needs of ongoing
29 investigations of fire incidents where the cause is suspected or
30 determined to be the result of negligence or otherwise suggestive of
31 some criminal activity, particularly that of arson. It is the intent
32 of the legislature to establish an information and reporting system
33 designed specifically to assist state and local officers in conducting
34 such investigations and, where substantiated, to undertake prosecution
35 of individuals suspected of such activities.

36 (2)(a) In addition to the information provided by local officials
37 about the cause, origin, and extent of loss in fires under chapter

1 48.48 RCW, there is hereby created the state arson investigation
2 information system in the office of the attorney general.

3 (b) The attorney general shall develop the arson investigation
4 information system in consultation with representatives of the various
5 state and local officials charged with investigating fires resulting
6 from suspicious or criminal activities under chapter 48.48 RCW and of
7 the insurance industry.

8 (c) The arson investigation information system shall be designed to
9 include at least the following attributes: (i) The information
10 gathered and reported shall meet the diverse needs of state and local
11 investigating agencies; (ii) the forms and reports are drafted in
12 understandable terms of common usage; and (iii) the results shall be
13 adaptable to the varying levels of available resources, maintained in
14 a manner to foster data sharing and mutual aid activities, and made
15 available to other law enforcement agencies responsible for criminal
16 investigations.

17 (d) All insurers required to report claim information under the
18 provisions of chapter 48.50 RCW shall cooperate fully with any requests
19 from the attorney general in developing and maintaining the arson
20 investigation information system. The confidentiality provisions of
21 that chapter shall be fully enforced.

22 **Sec. 762.** RCW 48.48.080 and 1986 c 266 s 74 are each amended to
23 read as follows:

24 If as the result of any such investigation, or because of any
25 information received, the (~~director of community development, through~~
26 ~~the~~) director of fire protection(~~(7)~~) is of the opinion that there is
27 evidence sufficient to charge any person with any crime, he or she may
28 cause such person to be arrested and charged with such offense, and
29 shall furnish to the prosecuting attorney of the county in which the
30 offense was committed, the names of witnesses and all pertinent and
31 material evidence and testimony within his or her possession relative
32 to the offense.

33 **Sec. 763.** RCW 52.12.031 and 1986 c 311 s 1 are each amended to
34 read as follows:

35 Any fire protection district organized under this title may:
36 (1) Lease, acquire, own, maintain, operate, and provide fire and
37 emergency medical apparatus and all other necessary or proper

1 facilities, machinery, and equipment for the prevention and suppression
2 of fires, the providing of emergency medical services and the
3 protection of life and property;

4 (2) Lease, acquire, own, maintain, and operate real property,
5 improvements, and fixtures for housing, repairing, and maintaining the
6 apparatus, facilities, machinery, and equipment described in subsection
7 (1) of this section;

8 (3) Contract with any governmental entity under chapter 39.34 RCW
9 or private person or entity to consolidate, provide, or cooperate for
10 fire prevention protection, fire suppression, investigation, and
11 emergency medical purposes. In so contracting, the district or
12 governmental entity is deemed for all purposes to be acting within its
13 governmental capacity. This contracting authority includes the
14 furnishing of fire prevention, fire suppression, investigation,
15 emergency medical services, facilities, and equipment to or by the
16 district, governmental entity, or private person or entity;

17 (4) Encourage uniformity and coordination of fire protection
18 district operations. The fire commissioners of fire protection
19 districts may form an association to secure information of value in
20 suppressing and preventing fires and other district purposes, to hold
21 and attend meetings, and to promote more economical and efficient
22 operation of the associated fire protection districts. The
23 commissioners of fire protection districts in the association shall
24 adopt articles of association or articles of incorporation for a
25 nonprofit corporation, select a chairman, secretary, and other officers
26 as they may determine, and may employ and discharge agents and
27 employees as the officers deem convenient to carry out the purposes of
28 the association. The expenses of the association may be paid from
29 funds paid into the association by fire protection districts:
30 PROVIDED, That the aggregate contributions made to the association by
31 a district in a calendar year shall not exceed two and one-half cents
32 per thousand dollars of assessed valuation;

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

35 (6) Perform building and property inspections that the district
36 deems necessary to provide fire prevention services and pre-fire
37 planning within the district and any area that the district serves by
38 contract in accordance with RCW 19.27.110: PROVIDED, That codes used
39 by the district for building and property inspections shall be limited

1 to the applicable codes adopted by the state, county, city, or town
2 that has jurisdiction over the area in which the property is located.
3 A copy of inspection reports prepared by the district shall be
4 furnished by the district to the appropriate state, county, city, or
5 town that has jurisdiction over the area in which the property is
6 located: PROVIDED, That nothing in this subsection shall be construed
7 to grant code enforcement authority to a district. This subsection
8 shall not be construed as imposing liability on any governmental
9 jurisdiction;

10 (7) Determine the origin and cause of fires occurring within the
11 district and any area the district serves by contract. In exercising
12 the authority conferred by this subsection, the fire protection
13 district and its authorized representatives shall comply with the
14 provisions of RCW 48.48.060;

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

17 NEW SECTION. **Sec. 764.** The association of fire commissioners that
18 is authorized to be formed under RCW 52.12.031(4), the association of
19 Washington cities, and the Washington state association of counties
20 shall submit a report on achieving greater efficiency in the delivery
21 of fire protection services to the government operations committee of
22 the senate and the local government committee of the house of
23 representatives on or before December 31, 1994.

24 NEW SECTION. **Sec. 765.** The state fire protection policy board
25 shall conduct a study on the overlapping and confusing jurisdiction and
26 responsibilities of local governments concerning fire investigation.
27 The board shall make recommendations to the government operations
28 committee of the senate and the local government committee of the house
29 of representatives on or before December 31, 1994.

30 NEW SECTION. **Sec. 766.** The department of natural resources and
31 the association of fire commissioners shall submit a report on the
32 feasibility of providing fire protection for lands that are not
33 federally protected, not protected by the department of natural
34 resources, and not within the boundaries of a fire protection district
35 to the government operations committee of the senate and the local

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

3 NEW SECTION. **Sec. 767.** This act does not apply to forest fire
4 service personnel and programs.

5 NEW SECTION. **Sec. 768.** RCW 48.48.120 and 1947 c 79 s .33.12 are
6 each repealed.

7 **Sec. 769.** RCW 84.52.043 and 1993 c 337 s 3 are each amended to
8 read as follows:

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

12 (1) Levies of the senior taxing districts shall be as follows: (a)
13 The levy by the state under RCW 84.52.065 shall not exceed three
14 dollars and sixty cents per thousand dollars of assessed value adjusted
15 to the state equalized value in accordance with the indicated ratio
16 fixed by the state department of revenue to be used exclusively for the
17 support of the common schools; (b) the levy by the state under section
18 770 of this act shall not exceed two cents per thousand dollars of
19 assessed value adjusted to the state equalized value in accordance with
20 the indicated ratio fixed by the state department of revenue to be used
21 exclusively for state fire protection services; (c) the levy by any
22 county shall not exceed one dollar and eighty cents per thousand
23 dollars of assessed value; ~~((+e))~~ (d) the levy by any road district
24 shall not exceed two dollars and twenty-five cents per thousand dollars
25 of assessed value; and ~~((+d))~~ (e) the levy by any city or town shall
26 not exceed three dollars and thirty-seven and one-half cents per
27 thousand dollars of assessed value. However any county is hereby
28 authorized to increase its levy from one dollar and eighty cents to a
29 rate not to exceed two dollars and forty-seven and one-half cents per
30 thousand dollars of assessed value for general county purposes if the
31 total levies for both the county and any road district within the
32 county do not exceed four dollars and five cents per thousand dollars
33 of assessed value, and no other taxing district has its levy reduced as
34 a result of the increased county levy.

35 (2) The aggregate levies of junior taxing districts and senior
36 taxing districts, other than the state, shall not exceed five dollars

1 and ninety cents per thousand dollars of assessed valuation. The term
2 "junior taxing districts" includes all taxing districts other than the
3 state, counties, road districts, cities, towns, port districts, and
4 public utility districts. The limitations provided in this subsection
5 shall not apply to: (a) Levies at the rates provided by existing law
6 by or for any port or public utility district; (b) excess property tax
7 levies authorized in Article VII, section 2 of the state Constitution;
8 (c) levies for acquiring conservation futures as authorized under RCW
9 84.34.230; (d) levies for emergency medical care or emergency medical
10 services imposed under RCW 84.52.069; and (e) levies to finance
11 affordable housing for very low-income housing imposed under RCW
12 84.52.105.

13 NEW SECTION. **Sec. 770.** A new section is added to chapter 84.52
14 RCW to read as follows:

15 (1) Subject to the limitations in RCW 84.55.010, in each year the
16 state shall levy for collection in the following year a tax of two
17 cents per thousand dollars of assessed value upon the assessed
18 valuation of all taxable property within the state, except classified
19 or designated forest land under chapter 84.33 RCW, adjusted to the
20 state equalized value in accordance with the indicated ratio fixed by
21 the state department of revenue.

22 (2) The state fire protection services account is hereby created in
23 the state treasury. All receipts from the tax levied under this
24 section shall be deposited in the account. Except for unanticipated
25 receipts under chapter 43.79 RCW, moneys in the account may be spent
26 only after appropriation by statute. Expenditures from the account may
27 be used only for state fire protection responsibilities.

28 NEW SECTION. **Sec. 771.** A new section is added to chapter 84.52
29 RCW to read as follows:

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

35 (1) If the limitation is exceeded only as a result of the levy
36 authorized in section 770 of this act adjusted to the local levy rate
37 in accordance with the indicated ratio fixed by the department, the

1 certified property tax levy rates authorized under RCW 84.52.043(1)(e)
2 and 52.16.140 shall be reduced on a pro rata basis until the limitation
3 is not exceeded;

4 (2) If the limitation is exceeded as a result of both the levy
5 authorized in section 770 of this act adjusted to the local levy rate
6 in accordance with the indicated ratio fixed by the department and
7 other tax levies, the pro rationing process provided in RCW 84.52.010
8 shall be followed until the limitation is exceeded only as a result of
9 the levy authorized in section 770 of this act, and the consolidated
10 levy shall then be further reduced in accordance with subsection (1) of
11 this section.

12 NEW SECTION. Sec. 772. Sections 754 through 771 of this act shall
13 be submitted to the people for their adoption and ratification, or
14 rejection, at the next succeeding general election to be held in this
15 state, in accordance with Article II, section 1 of the state
16 Constitution, as amended, and the laws adopted to facilitate the
17 operation thereof."

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19 By Senator Haugen

20

21 On page 2, line 2 of the title, after "74.42.380," insert
22 "43.63A.300, 43.63A.310, 43.63A.320, 43.63A.340, 43.63A.377, 48.48.060,
23 48.48.065, 48.48.080, 52.12.031, 84.52.043,"

24 On page 2, line 17 of the title, after "18 RCW;" insert "adding a
25 new section to chapter 43.10 RCW; adding new sections to chapter 84.52
26 RCW;"

27 On page 2, line 37 of the title, after "18.138.080," insert
28 "48.48.120,"

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2 By Senators Haugen, Winsley, Vognild, McCaslin and Drew

3

4 On page 3, beginning on line 7 of the title, strike "and providing
5 an effective date" and insert "providing an effective date; and
6 providing for submission of certain sections of this act to a vote of
7 the people"

--- END ---