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ENGROSSED SUBSTITUTE HOUSE BILL 2305

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State of Washington

52nd Legislature

1992 Regular Session

By House Committee on Local Government (originally sponsored by Representatives Haugen, Ferguson, Dorn, Horn, Bray and Rasmussen)

Read first time 01/22/92.

1 AN ACT Relating to fire protection districts; amending RCW  
2 52.06.085; adding a new section to chapter 52.06 RCW; and adding a new  
3 section to chapter 52.14 RCW.

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

5 **Sec. 1.** RCW 52.06.085 and 1985 c 7 s 118 are each amended to read  
6 as follows:

7 (1) Whenever two or more fire protection districts merge, the board  
8 of fire commissioners of the merged fire protection district shall  
9 consist of all of the original fire commissioners. At the next three  
10 elections for fire commissioners the number of fire commissioners for  
11 the merged district shall be reduced as follows, notwithstanding the  
12 number of fire commissioners whose terms expire:

1 In the first election after the merger, only one position shall be  
2 filled, whether the new fire protection district be a three member  
3 district or a five member district pursuant to RCW 52.14.020.

4 In each of the two subsequent elections, one position shall be  
5 filled if the new fire protection district is a three member district  
6 and two positions shall be filled if the new fire protection district  
7 is a five member district pursuant to RCW 52.14.020.

8 Thereafter, the fire commissioners shall be elected in the same  
9 manner as prescribed for such fire protection districts of the state.

10 (2) A ballot proposition to create commissioner districts may be  
11 submitted to the voters of the fire protection districts proposed to be  
12 merged at the same election the ballot proposition is submitted  
13 authorizing the merging of the fire protection districts. The  
14 procedure to create commissioner districts shall conform with section  
15 2 of this act, except that: (a) Resolutions proposing the creation of  
16 commissioner districts must be adopted by unanimous vote of the boards  
17 of fire commissioners of each of the fire protection districts that are  
18 proposed to be merged; and (b) commissioner districts will be  
19 authorized only if the ballot propositions to authorize the merger and  
20 to create commissioner districts are both approved. A ballot  
21 proposition authorizing the creation of commissioner districts is  
22 approved if it is approved by a simple majority vote of the combined  
23 voters of all the fire protection districts proposed to be merged. The  
24 commissioner districts shall not be drawn until the number of  
25 commissioners in the fire protection district has been reduced under  
26 subsection (1) of this section to either three or five commissioners.  
27 After this reduction of fire commissioners has occurred the  
28 commissioner districts shall be drawn and used for the election of the  
29 successor fire commissioners.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 52.14 RCW  
2 to read as follows:

3        The board of fire commissioners of a fire protection district may  
4 adopt a resolution by unanimous vote causing a ballot proposition to be  
5 submitted to voters of the district authorizing the creation of  
6 commissioner districts. The board of fire commissioners shall create  
7 commissioner districts if the ballot proposition authorizing the  
8 creation of commissioner districts is approved by a simple majority  
9 vote of the voters of the fire protection district voting on the  
10 proposition. Three commissioner districts shall be created for a fire  
11 protection district with three commissioners, and five commissioner  
12 districts shall be created for a fire protection district with five  
13 commissioners. No two commissioners may reside in the same  
14 commissioner district.

15        The population of each commissioner district shall include  
16 approximately equal population. Commissioner districts shall be  
17 redrawn as provided in chapter 29.70 RCW. Commissioner districts shall  
18 be used as follows: (1) Only a registered voter who resides in a  
19 commissioner district may be a candidate for, or serve as, a  
20 commissioner of the commissioner district; and (2) only voters of a  
21 commissioner district may vote at a primary to nominate candidates for  
22 a commissioner of the commissioner district. Voters of the entire fire  
23 protection district may vote at a general election to elect a person as  
24 a commissioner of the commissioner district.

25        When a board of fire commissioners that has commissioner districts  
26 has been increased to five members under RCW 52.14.015, the board of  
27 fire commissioners shall divide the fire protection district into five  
28 commissioner districts before it appoints the two additional fire  
29 commissioners. The two additional fire commissioners who are appointed

1 shall reside in separate commissioner districts in which no other fire  
2 commissioner resides.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 52.06 RCW  
4 to read as follows:

5 A fire protection district resulting from the merger of two or more  
6 fire protection districts located in the same county shall be  
7 identified by the name of the county and the number of the merger fire  
8 protection district. However, the fire protection district resulting  
9 from such a merger shall be identified by the number of the merging  
10 district or one of the merging districts if a resolution providing for  
11 this number change is adopted by the board of fire commissioners of the  
12 district resulting from the merger or if resolutions providing for this  
13 number change are adopted by each of the boards of fire commissioners  
14 of the districts proposed to be merged.