

2 **2ESSB 6013** - H COMM AMD
3 By Committee on Revenue

4

5 Strike everything after the enacting clause and insert the
6 following:

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

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

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

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

1 (1) (~~Three~~) One representative(~~(s)~~) of fire chiefs(~~(. At least~~
2 ~~one shall be from a fire department east of the Cascade mountains and~~
3 ~~at least one shall be from a fire department west of the Cascade~~
4 ~~mountains. One shall be from a fire protection district))~~);

5 (2) One insurance industry representative;

6 (3) One representative of cities and towns;

7 (4) One representative of counties;

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

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

10 (7) One representative of fire commissioners; and

11 (8) One representative of fire control programs of the department
12 of natural resources.

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

18 The terms of the appointed members of the board shall be three
19 years and until a successor is appointed and qualified. However,
20 initial board members shall be appointed as follows: Three members to
21 terms of one year, three members to terms of two years, and four
22 members to terms of three years. In the case of a vacancy of a member
23 appointed under subsections (1) through (7) of this section, the
24 governor shall appoint a new representative to fill the unexpired term
25 of the member whose office has become vacant. A vacancy shall occur
26 whenever an appointed member ceases to be employed in the occupation
27 the member was appointed to represent. The members of the board
28 appointed pursuant to subsections (1) and (5) of this section and
29 holding office on the effective date of this act shall serve the
30 remainder of their terms, and the reduction of the board required by
31 section 2, chapter ---, Laws of 1994 (this section), shall occur upon
32 the expiration of their terms.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 ~~(12) Adopt standards for state wide fire service training and~~
2 ~~education courses including courses in arson detection and~~
3 ~~investigation for personnel of fire, police, and prosecutor's~~
4 ~~departments;~~

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

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

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

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

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

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

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

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

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

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

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

1 (~~the director of community, trade, and economic development,~~
2 ~~through the~~) director of fire protection((~~the~~)) shall seek the advice of
3 the board in carrying out his or her duties under law.

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

6 Money from the fire services trust fund may be expended for the
7 following purposes:

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

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

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

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

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

21 (6) Licensing and enforcement of state laws governing the sales of
22 fireworks; and

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

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

27 (1) The chief of each organized fire department, the sheriff or
28 other designated county official, and the designated city or town
29 official shall investigate the cause((~~the~~)) and origin, and document
30 extent of ((~~loss~~)) damage of all fires occurring within their
31 respective jurisdictions, as determined by this subsection, and shall
32 forthwith notify the ((~~director of community development, through the~~))
33 director of fire protection((~~the~~)) of all fires of criminal, suspected,
34 or undetermined cause occurring within their respective jurisdictions.
35 The county fire marshal shall also be notified of and investigate all
36 such fires occurring in unincorporated areas of the county. Fire
37 departments shall have the responsibility imposed by this subsection

1 for areas within their jurisdictions. Sheriffs or other designated
2 county officials shall have responsibility imposed by this subsection
3 for county areas not within the jurisdiction of a fire department,
4 unless such areas are within the boundaries of a city or town, in which
5 case the designated city or town official shall have the responsibility
6 imposed by this subsection. For the purposes of this subsection,
7 county officials shall be designated by the county legislative
8 authority, and city or town officials shall be designated by the
9 appropriate city or town legislative or executive authority. In
10 addition to the responsibility imposed by this subsection, any sheriff
11 or chief of police may assist in the investigation of the cause((7))
12 and origin, and document extent of ((loss)) damage of all fires
13 occurring within his or her respective jurisdiction.

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

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

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

1 (~~director of community development, through the director of~~) fire
2 protection policy board. The (~~director of community development,~~
3 ~~through the~~) director of fire protection(~~(7)~~) and the department of
4 natural resources shall jointly determine the statistical information
5 to be reported on fires on land under the jurisdiction of the
6 department of natural resources.

7 (2) The (~~director of community development, through the~~) director
8 of fire protection(~~(7)~~) shall analyze the information and data
9 reported, compile a report, and distribute a copy annually by (~~January~~
10 ~~31~~) June 30 to each chief fire official in the state. Upon request,
11 the (~~director of community development, through the~~) director of fire
12 protection(~~(7)~~) shall also furnish a copy of the report to any other
13 interested person at cost.

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

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

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

28 NEW SECTION. Sec. 8. A new section is added to chapter 43.10 RCW
29 to read as follows:

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

1 such investigations and, where substantiated, to undertake prosecution
2 of individuals suspected of such activities.

3 (2)(a) In addition to the information provided by local officials
4 about the cause, origin, and extent of loss in fires under chapter
5 48.48 RCW, there is hereby created the state arson investigation
6 information system in the office of the attorney general.

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

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

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

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

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

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

3 Any fire protection district organized under this title may:

4 (1) Lease, acquire, own, maintain, operate, and provide fire and
5 emergency medical apparatus and all other necessary or proper
6 facilities, machinery, and equipment for the prevention and suppression
7 of fires, the providing of emergency medical services and the
8 protection of life and property;

9 (2) Lease, acquire, own, maintain, and operate real property,
10 improvements, and fixtures for housing, repairing, and maintaining the
11 apparatus, facilities, machinery, and equipment described in subsection
12 (1) of this section;

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

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

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

1 (6) Perform building and property inspections that the district
2 deems necessary to provide fire prevention services and pre-fire
3 planning within the district and any area that the district serves by
4 contract in accordance with RCW 19.27.110: PROVIDED, That codes used
5 by the district for building and property inspections shall be limited
6 to the applicable codes adopted by the state, county, city, or town
7 that has jurisdiction over the area in which the property is located.
8 A copy of inspection reports prepared by the district shall be
9 furnished by the district to the appropriate state, county, city, or
10 town that has jurisdiction over the area in which the property is
11 located: PROVIDED, That nothing in this subsection shall be construed
12 to grant code enforcement authority to a district. This subsection
13 shall not be construed as imposing liability on any governmental
14 jurisdiction;

15 (7) Determine the origin and cause of fires occurring within the
16 district and any area the district serves by contract. In exercising
17 the authority conferred by this subsection, the fire protection
18 district and its authorized representatives shall comply with the
19 provisions of RCW 48.48.060;

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

22 NEW SECTION. **Sec. 11.** The association of fire commissioners that
23 is authorized to be formed under RCW 52.12.031(4), the association of
24 Washington cities, and the Washington state association of counties
25 shall submit a report on achieving greater efficiency in the delivery
26 of fire protection services to the government operations committee of
27 the senate and the local government committee of the house of
28 representatives on or before December 31, 1994.

29 NEW SECTION. **Sec. 12.** The state fire protection policy board
30 shall conduct a study on the overlapping and confusing jurisdiction and
31 responsibilities of local governments concerning fire investigation.
32 The board shall make recommendations to the government operations
33 committee of the senate and the local government committee of the house
34 of representatives on or before December 31, 1994.

35 NEW SECTION. **Sec. 13.** The department of natural resources and the
36 association of fire commissioners shall submit a report on the

1 feasibility of providing fire protection for lands that are not
2 federally protected, not protected by the department of natural
3 resources, and not within the boundaries of a fire protection district
4 to the government operations committee of the senate and the local
5 government committee of the house of representatives on or before
6 December 31, 1994.

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

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

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

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

16 (1) Levies of the senior taxing districts shall be as follows: (a)
17 The levy by the state under RCW 84.52.065 shall not exceed three
18 dollars and sixty cents per thousand dollars of assessed value adjusted
19 to the state equalized value in accordance with the indicated ratio
20 fixed by the state department of revenue to be used exclusively for the
21 support of the common schools; (b) the levy by the state under section
22 17 of this act shall not exceed two cents per thousand dollars of
23 assessed value adjusted to the state equalized value in accordance with
24 the indicated ratio fixed by the state department of revenue to be used
25 exclusively for state fire protection services; (c) the levy by any
26 county shall not exceed one dollar and eighty cents per thousand
27 dollars of assessed value; ~~((+e+))~~ (d) the levy by any road district
28 shall not exceed two dollars and twenty-five cents per thousand dollars
29 of assessed value; and ~~((+d+))~~ (e) the levy by any city or town shall
30 not exceed three dollars and thirty-seven and one-half cents per
31 thousand dollars of assessed value. However any county is hereby
32 authorized to increase its levy from one dollar and eighty cents to a
33 rate not to exceed two dollars and forty-seven and one-half cents per
34 thousand dollars of assessed value for general county purposes if the
35 total levies for both the county and any road district within the
36 county do not exceed four dollars and five cents per thousand dollars

1 of assessed value, and no other taxing district has its levy reduced as
2 a result of the increased county levy.

3 (2) The aggregate levies of junior taxing districts and senior
4 taxing districts, other than the state, shall not exceed five dollars
5 and ninety cents per thousand dollars of assessed valuation. The term
6 "junior taxing districts" includes all taxing districts other than the
7 state, counties, road districts, cities, towns, port districts, and
8 public utility districts. The limitations provided in this subsection
9 shall not apply to: (a) Levies at the rates provided by existing law
10 by or for any port or public utility district; (b) excess property tax
11 levies authorized in Article VII, section 2 of the state Constitution;
12 (c) levies for acquiring conservation futures as authorized under RCW
13 84.34.230; (d) levies for emergency medical care or emergency medical
14 services imposed under RCW 84.52.069; and (e) levies to finance
15 affordable housing for very low-income housing imposed under RCW
16 84.52.105.

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

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

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

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

34 When a county assessor finds that the aggregate of all regular tax
35 levies upon real and personal property by the state and all taxing
36 districts other than a port or public utility district exceeds the

1 limitation set forth in RCW 84.52.050, the assessor shall recompute and
2 establish a consolidated levy as follows:

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

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

17 NEW SECTION. **Sec. 19.** This act shall be submitted to the people
18 for their adoption and ratification, or rejection, at the general
19 election to be held in this state in 1995, in accordance with Article
20 II, section 1 of the state Constitution, as amended, and the laws
21 adopted to facilitate the operation thereof."

--- END ---