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HOUSE BILL 2187

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State of Washington

53rd Legislature

1994 Regular Session

By Representative Dunshee

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1 AN ACT Relating to fire protection districts mergers; and amending  
2 RCW 52.06.085.

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

4 **Sec. 1.** RCW 52.06.085 and 1992 c 74 s 1 are each amended to read  
5 as follows:

6 (1) Whenever two or more fire protection districts merge, the board  
7 of fire commissioners of the merged fire protection district shall  
8 consist of all of the ~~((original))~~ fire commissioners of the districts  
9 that are merging, including a person who is elected as a fire  
10 commissioner of one of the merging districts at that same election that  
11 the ballot proposition was approved authorizing the merger, who shall  
12 retain the same terms of office they would possess as if the merger had  
13 not been approved. The number of members on the board of the merged  
14 district shall be reduced to either three or five members as provided  
15 in subsections (2) and (3) of this section, depending on whether the  
16 district has chosen to eventually have either a three-member or a five-  
17 member board under RCW 52.14.020.

18 (2) The number of members on the board of the merged district shall  
19 be reduced by one whenever a fire commissioner resigns from office or

1 a vacancy otherwise occurs on the board, until the number of remaining  
2 members is reduced to the number of members that is chosen for the  
3 board eventually to have. The reduction of membership on the board  
4 shall not be considered to be a vacancy that is to be filled until the  
5 number of remaining members is less than the number of members on the  
6 board that is chosen for the board eventually to have.

7 (3) At the next three district general elections (~~for fire~~  
8 ~~commissioners~~) after the merger is approved, the number of fire  
9 commissioners for the merged district (~~shall be reduced~~) that are  
10 elected shall be as follows, notwithstanding the number of fire  
11 commissioners whose terms expire:

12 (a) In the first election after the merger, only one position shall  
13 be filled, whether the new fire protection district be a three-member  
14 district or a five-member district (~~pursuant to RCW 52.14.020~~).

15 (b) In each of the two subsequent elections, one position shall be  
16 filled if the new fire protection district is a three-member district  
17 and two positions shall be filled if the new fire protection district  
18 is a five-member district (~~pursuant to RCW 52.14.020~~).

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

21 (~~(2)~~) (4) A ballot proposition to create commissioner districts  
22 may be submitted to the voters of the fire protection districts  
23 proposed to be merged at the same election the ballot proposition is  
24 submitted authorizing the merging of the fire protection districts.  
25 The procedure to create commissioner districts shall conform with RCW  
26 52.14.013, except that: (a) Resolutions proposing the creation of  
27 commissioner districts must be adopted by unanimous vote of the boards  
28 of fire commissioners of each of the fire protection districts that are  
29 proposed to be merged; and (b) commissioner districts will be  
30 authorized only if the ballot propositions to authorize the merger and  
31 to create commissioner districts are both approved. A ballot  
32 proposition authorizing the creation of commissioner districts is  
33 approved if it is approved by a simple majority vote of the combined  
34 voters of all the fire protection districts proposed to be merged. The  
35 commissioner districts shall not be drawn until the number of  
36 commissioners in the fire protection district has been reduced under  
37 subsections (1) through (3) of this section to either three or five  
38 commissioners. After this reduction of fire commissioners has occurred

- 1 the commissioner districts shall be drawn and used for the election of
- 2 the successor fire commissioners.

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