

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2200

(Reference to printed bill)

1 Page 1, after line 18, insert:

2 "Sec. 2. Title 48, chapter 5, article 1, Arizona Revised Statutes, is
3 amended by adding section 48-801, to read:

4 48-801. County fire district; formation; consolidation

5 A. THE BOARD OF SUPERVISORS OF ANY COUNTY MAY ORGANIZE A COUNTY FIRE
6 DISTRICT. THE DISTRICT MAY INCLUDE ONLY THE AREA OF THE COUNTY THAT IS
7 UNINCORPORATED. THE COUNTY BOARD OF SUPERVISORS SHALL BE THE BOARD OF
8 DIRECTORS OF THE COUNTY FIRE DISTRICT ORGANIZED PURSUANT TO THIS SECTION.

9 B. THE BOARD OF SUPERVISORS SHALL MAKE AN ORDER CALLING FOR AN
10 ELECTION TO DECIDE WHETHER TO CONSOLIDATE FIRE DISTRICTS UNDER A COUNTY FIRE
11 DISTRICT ESTABLISHED PURSUANT TO SUBSECTION A OF THIS SECTION IF A RESOLUTION
12 FOR CONSOLIDATION OF FIRE DISTRICTS FROM EACH DISTRICT IS SUBMITTED TO THE
13 BOARD OF SUPERVISORS. WHETHER OR NOT THE DISTRICTS ARE CONSOLIDATED, THE
14 FIRE DISTRICTS SHALL REIMBURSE THE COUNTIES FOR THE EXPENSES OF THE ELECTION,
15 INCLUDING THE COST OF MAILING ANY NOTICES. THE WORDS APPEARING ON THE BALLOT
16 SHALL BE "(INSERT FIRE DISTRICTS' NAMES) CONSOLIDATE UNDER A COUNTY FIRE
17 DISTRICT--YES" AND "(INSERT FIRE DISTRICTS' NAMES) CONSOLIDATE UNDER A COUNTY
18 FIRE DISTRICT--NO."

19 C. WITHIN FOURTEEN DAYS AFTER THE ELECTION, THE BOARD OF SUPERVISORS
20 SHALL MEET AND CANVASS THE RETURNS, AND IF IT IS DETERMINED THAT A MAJORITY
21 OF THE VOTES CAST AT THE ELECTION IN EACH OF THE AFFECTED DISTRICTS IS IN
22 FAVOR OF CONSOLIDATING THE FIRE DISTRICTS UNDER A COUNTY FIRE DISTRICT, THE
23 BOARD SHALL ENTER THAT FACT ON ITS MINUTES.

24 D. A FIRE DISTRICT MAY CONSOLIDATE WITH ONE OR MORE FIRE DISTRICTS
25 UNDER A COUNTY FIRE DISTRICT AS FOLLOWS:

1 1. A RESOLUTION REQUESTING THE CONSOLIDATION OF A FIRE DISTRICT UNDER
2 A COUNTY FIRE DISTRICT IS PASSED BY A MAJORITY VOTE OF THE GOVERNING BODY
3 REQUESTING CONSOLIDATION INTO A COUNTY FIRE DISTRICT. THE REQUESTING
4 DISTRICT SHALL SEND BY FIRST CLASS MAIL THE NOTICE OF REQUEST TO CONSOLIDATE
5 DISTRICTS UNDER A COUNTY FIRE DISTRICT IN WHICH THE CONSOLIDATION IS
6 REQUESTED.

7 2. ON RECEIPT OF THE RESOLUTION REQUESTING CONSOLIDATION, AND ON
8 APPROVAL BY MAJORITY VOTE OF THE GOVERNING BODY RECEIVING THE REQUEST, TWO OR
9 MORE FIRE DISTRICTS MAY CONSOLIDATE UNDER A COUNTY FIRE DISTRICT IF THE
10 GOVERNING BODY OF EACH AFFECTED FIRE DISTRICT BY A MAJORITY VOTE OF THE
11 MEMBERS OF EACH GOVERNING BODY ADOPTS A RESOLUTION DECLARING THAT A
12 CONSOLIDATION BE CONSIDERED AND A PUBLIC HEARING BE HELD TO DETERMINE IF A
13 CONSOLIDATION WOULD BE IN THE BEST INTEREST OF THE DISTRICTS AND WOULD
14 PROMOTE THE PUBLIC HEALTH, COMFORT, CONVENIENCE, NECESSITY OR WELFARE. AFTER
15 EACH DISTRICT ADOPTS A RESOLUTION, THE GOVERNING BODY BY FIRST CLASS MAIL
16 SHALL SEND WRITTEN NOTICE OF THE RESOLUTION, ITS PURPOSE AND NOTICE OF THE
17 DAY, HOUR AND PLACE OF A HEARING ON THE PROPOSED CONSOLIDATION TO EACH OWNER
18 OF TAXABLE PROPERTY WITHIN THE BOUNDARIES OF THE DISTRICT. THE NOTICE SHALL
19 CONTAIN THE NAME AND DESCRIPTION OF THE BOUNDARIES OF EACH DISTRICT THAT IS
20 PROPOSED TO BE CONSOLIDATED AND A DETAILED, ACCURATE MAP OF THE AREA TO BE
21 INCLUDED IN THE CONSOLIDATION. THE NOTICE SHALL ALSO CONTAIN AN ESTIMATE OF
22 THE ASSESSED VALUE OF THE CONSOLIDATED DISTRICT, THE ESTIMATED CHANGE IN THE
23 PROPERTY TAX LIABILITY FOR A TYPICAL RESIDENT OF THE PROPOSED CONSOLIDATED
24 DISTRICT UNDER A COUNTY FIRE DISTRICT AND A LIST OF THE BENEFITS AND INJURIES
25 THAT MAY RESULT FROM THE PROPOSED CONSOLIDATION.

26 3. THE CLERK OF THE GOVERNING BODY OF THE FIRE DISTRICTS AFFECTED BY
27 THE PROPOSED CONSOLIDATION SHALL POST NOTICE IN AT LEAST THREE CONSPICUOUS
28 PUBLIC PLACES IN THE DISTRICT AND SHALL ALSO PUBLISH NOTICE TWICE IN A DAILY
29 NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY IN WHICH THE DISTRICT IS
30 LOCATED AT LEAST TEN DAYS BEFORE THE PUBLIC HEARING. THE CLERK OF EACH
31 GOVERNING BODY AFFECTED BY THE PROPOSED CONSOLIDATION SHALL ALSO MAIL NOTICE
32 AND A COPY OF THE RESOLUTION IN SUPPORT OF CONSIDERING CONSOLIDATION TO THE
33 CHAIRMAN OF THE BOARD OF SUPERVISORS OF THE COUNTY IN WHICH THE AFFECTED
34 DISTRICTS ARE LOCATED. THE CHAIRMAN OF THE BOARD OF SUPERVISORS SHALL ORDER
35 A REVIEW OF THE PROPOSED CONSOLIDATION AND SHALL SUBMIT WRITTEN COMMENTS TO
36 THE GOVERNING BODY OF EACH FIRE DISTRICT LOCATED IN THE COUNTY WITHIN TEN
37 DAYS AFTER RECEIPT OF THE NOTICE.

1 4. AT THE HEARING, THE GOVERNING BODY OF THE DISTRICT SHALL CONSIDER
2 THE COMMENTS OF THE BOARD OF SUPERVISORS, HEAR THOSE PERSONS WHO APPEAR FOR
3 OR AGAINST THE PROPOSED CONSOLIDATION AND DETERMINE WHETHER THE PROPOSED
4 CONSOLIDATION WILL PROMOTE THE PUBLIC HEALTH, COMFORT, CONVENIENCE, NECESSITY
5 OR WELFARE. IF, AFTER THE PUBLIC HEARING, EACH OF THE GOVERNING BODIES OF
6 THE DISTRICTS AFFECTED BY THE PROPOSED CONSOLIDATION ADOPT A RESOLUTION BY A
7 MAJORITY VOTE THAT THE CONSOLIDATION WILL PROMOTE THE PUBLIC HEALTH, COMFORT,
8 CONVENIENCE, NECESSITY OR WELFARE, EACH OF THE GOVERNING BODIES OF THE
9 DISTRICTS AFFECTED BY THE PROPOSED CONSOLIDATION SHALL SUBMIT THE RESOLUTIONS
10 CALLING FOR AN ELECTION TO THE BOARD OF SUPERVISORS.

11 5. IF THE PROPOSAL FOR CONSOLIDATION IS APPROVED AS PROVIDED IN
12 SUBSECTIONS B AND C OF THIS SECTION, THE GOVERNING BODY OF THE DISTRICT INTO
13 WHICH CONSOLIDATION WAS REQUESTED SHALL BY RESOLUTION DECLARE THE DISTRICT
14 CONSOLIDATED UNDER A COUNTY FIRE DISTRICT.

15 E. IF FIRE DISTRICTS ESTABLISHED UNDER THIS CHAPTER ARE CONSOLIDATED
16 UNDER A COUNTY FIRE DISTRICT, ALL THE EQUIPMENT, ASSETS AND LIABILITIES OF
17 THE AFFECTED DISTRICTS SHALL BE TRANSFERRED TO THE COUNTY FIRE DISTRICT.

18 F. ALL ASSETS AND LIABILITIES OF WHATEVER DESCRIPTION AND ALL BOOKS
19 AND RECORDS BELONGING TO THE FIRE FIGHTERS' RELIEF AND PENSION FUND OF
20 CONSOLIDATED FIRE DISTRICTS SHALL BE TRANSFERRED TO AND BECOME THE PROPERTY
21 OF THE COUNTY FIRE DISTRICT."

22 Amend title to conform

SONNY BORRELLI

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