

2 **SSB 6566** - S AMD - 139 - **S4804.1**

3 By Senators Horn, Kohl-Welles, Patterson and Hale

4 ADOPTED AS AMENDED by #186 & #188; 2/15/00; BILL FAILED

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

7 NEW SECTION. **Sec. 1.** (1) For the purpose of acquisition,
8 construction, remodeling, equipping, repairing, maintaining, and
9 operating a public zoo, aquarium, other parks, and open space, the
10 legislative authority of a city with a population of over one hundred
11 fifty thousand that is not in a metropolitan park district may, subject
12 to section 2 of this act, levy an annual regular property tax not
13 exceeding fifty cents per thousand dollars of assessed valuation in the
14 city.

15 (2) The levy under this section is in addition to the levy of a
16 city under RCW 84.52.043 and 41.16.060.

17 (3) The limitation in RCW 84.55.010 does not apply to the first
18 levy imposed under this section.

19 (4) Proceeds of the taxes levied under this section may not be
20 applied to the payment of principal of or interest on bonds with
21 maturities greater than ten years.

22 NEW SECTION. **Sec. 2.** (1) A city shall have no authority to levy
23 taxes under section 1 of this act until that power is activated by vote
24 of the city's voters at a regular election or a special election called
25 for that purpose. The ballot proposition whether to activate the
26 city's regular taxing power under this act shall propose an initial
27 regular tax rate or amount and shall also propose a maximum regular tax
28 rate or amount. If the voters approve a regular tax rate or amount,
29 that approval shall serve as the voter approval required by Initiative
30 Measure No. 695 for all increases in general regular taxes under this
31 act up to the maximum approved tax rate or amount.

32 (2) Any city placing on the ballot a proposition to authorize the
33 levy of taxes under this act shall, in the ballot ordinance, agree to
34 continue, for so long as the city levies general taxes under this act,
35 to appropriate annually for park and recreation purposes, from sources

1 other than general taxes levied under this act, at least the same
2 dollar amount the city appropriated for park and recreation purposes in
3 the last annual budget adopted before the effective date of this act.

4 NEW SECTION. **Sec. 3.** In the ordinance placing on the ballot the
5 proposition called for by section 2 of this act, the city legislative
6 authority shall specify the minimum or maximum shares, as percentages
7 or dollar amounts or both, of revenue from taxes under section 1 of
8 this act that shall, annually or cumulatively, be devoted during the
9 first ten years those taxes are collected to each of the following:
10 (1) A public zoo, (2) a public aquarium, and (3) other parks and open
11 space.

12 NEW SECTION. **Sec. 4.** All instances in which voter approval is
13 called for under sections 1 and 2 of this act shall require an
14 affirmative vote of a sixty percent majority of the voters of the city
15 voting on the proposition at a general election held within the city or
16 at a special election called by the city held in conjunction with a
17 state general or primary election.

18 NEW SECTION. **Sec. 5.** (1) If the legislative authority of a city
19 whose voters have authorized taxes under section 1 of this act
20 contracts with one or more nonprofit corporations or other public
21 organizations for the overall management and operation of a zoo, an
22 aquarium, or both, that contract shall be subject to this section. No
23 such contract for the overall management and operation of zoo or
24 aquarium facilities by a nonprofit corporation or other public
25 organization shall have an initial term or any renewal term longer than
26 thirty years, but may be renewed by the legislative authority of the
27 city upon the expiration of an initial term or any renewal term.

28 (2) A nonprofit corporation or other public organization that
29 contracts with the legislative authority of a city for the overall
30 management and operation of a zoo, aquarium, or both under chapter
31 . . . , Laws of 2000 (this act) must comply with chapters 42.23 and
32 42.30 RCW and RCW 42.17.250 through 42.17.348.

33 (3) Before approving each initial and any renewal contract with a
34 nonprofit corporation or other public organization for the overall
35 management and operation of any facilities, the city legislative
36 authority shall hold a public hearing on the proposed management and

1 operation by the nonprofit corporation or other public organization.
2 At least thirty days prior to the hearing, a public notice setting
3 forth the date, time, and place of the hearing must be published at
4 least once in a local newspaper of general circulation. Notice of the
5 hearing shall also be mailed or otherwise delivered to all who would be
6 entitled to notice of a special meeting of the city legislative
7 authority under RCW 42.30.080. The notice shall identify the
8 facilities involved and the nonprofit corporation or other public
9 organization proposed for management and operation under the contract
10 with the city. The terms and conditions under which the city proposes
11 to contract with the nonprofit corporation or other public organization
12 for management and operation shall be available upon request from and
13 after the date of publication of the hearing notice and at the hearing,
14 but after the public hearing the city legislative authority may amend
15 the proposed terms and conditions at open public meetings.

16 (4) As part of the management and operation contract, the
17 legislative authority of the city may authorize the managing and
18 operating entity to grant to any nonprofit corporation or public or
19 private organization franchises or concessions that further the public
20 use and enjoyment of the zoo or aquarium, as the case may be, and may
21 authorize the managing and operating entity to contract with any public
22 or private organization for any specific services as are routinely so
23 procured by the city.

24 (5) Notwithstanding any provision in the charter of the city so
25 contracting for the overall management and operation of a zoo or an
26 aquarium, or any other provision of law, the nonprofit corporation or
27 other public organization with responsibility for overall management or
28 operation of any such facilities pursuant to a contract under this
29 section may, in carrying out that responsibility under such contract,
30 manage, supervise, and control those employees of the city employed in
31 connection with the zoo or aquarium and may hire, fire, and otherwise
32 discipline those employees. Notwithstanding any provision in the
33 charter of the city so contracting for the overall management and
34 operation of a zoo or an aquarium, or any other provision of law, the
35 civil service system of any such city shall provide for the nonprofit
36 corporation or other public organization to manage, supervise, control,
37 hire, fire, and otherwise discipline those employees of the city
38 employed in connection with the zoo or aquarium.

1 NEW SECTION. **Sec. 6.** Nothing in this chapter shall be construed
2 to affect any terms, conditions, or practices contained in a collective
3 bargaining agreement in effect on the effective date of this act.

4 **Sec. 7.** RCW 84.52.010 and 1995 2nd sp.s. c 13 s 4 are each amended
5 to read as follows:

6 Except as is permitted under RCW 84.55.050, all taxes shall be
7 levied or voted in specific amounts.

8 The rate percent of all taxes for state and county purposes, and
9 purposes of taxing districts coextensive with the county, shall be
10 determined, calculated and fixed by the county assessors of the
11 respective counties, within the limitations provided by law, upon the
12 assessed valuation of the property of the county, as shown by the
13 completed tax rolls of the county, and the rate percent of all taxes
14 levied for purposes of taxing districts within any county shall be
15 determined, calculated and fixed by the county assessors of the
16 respective counties, within the limitations provided by law, upon the
17 assessed valuation of the property of the taxing districts
18 respectively.

19 When a county assessor finds that the aggregate rate of tax levy on
20 any property, that is subject to the limitations set forth in RCW
21 84.52.043 or 84.52.050, exceeds the limitations provided in either of
22 these sections, the assessor shall recompute and establish a
23 consolidated levy in the following manner:

24 (1) The full certified rates of tax levy for state, county, county
25 road district, and city or town purposes shall be extended on the tax
26 rolls in amounts not exceeding the limitations established by law;
27 however any state levy shall take precedence over all other levies and
28 shall not be reduced for any purpose other than that required by RCW
29 84.55.010. If, as a result of the levies imposed under RCW 84.52.069,
30 84.34.230, the portion of the levy by a metropolitan park district that
31 was protected under RCW 84.52.120, and 84.52.105, the combined rate of
32 regular property tax levies that are subject to the one percent
33 limitation exceeds one percent of the true and fair value of any
34 property, then these levies shall be reduced as follows: (a) The
35 portion of the levy by a metropolitan park district that is protected
36 under RCW 84.52.120 shall be reduced until the combined rate no longer
37 exceeds one percent of the true and fair value of any property or shall
38 be eliminated; (b) if the combined rate of regular property tax levies

1 that are subject to the one percent limitation still exceeds one
2 percent of the true and fair value of any property, then the levy by a
3 city under section 1 of this act shall be reduced until the combined
4 rate no longer exceeds one percent of the true and fair value of any
5 property or shall be eliminated; (c) if the combined rate of regular
6 property tax levies that are subject to the one percent limitation
7 still exceeds one percent of the true and fair value of any property,
8 then the levies imposed under RCW 84.34.230, 84.52.105, and any portion
9 of the levy imposed under RCW 84.52.069 that is in excess of thirty
10 cents per thousand dollars of assessed value, shall be reduced on a pro
11 rata basis until the combined rate no longer exceeds one percent of the
12 true and fair value of any property or shall be eliminated; and (~~(e)~~)
13 (d) if the combined rate of regular property tax levies that are
14 subject to the one percent limitation still exceeds one percent of the
15 true and fair value of any property, then the thirty cents per thousand
16 dollars of assessed value of tax levy imposed under RCW 84.52.069 shall
17 be reduced until the combined rate no longer exceeds one percent of the
18 true and fair value of any property or eliminated.

19 (2) The certified rates of tax levy subject to these limitations by
20 cities levying under section 1 of this act and by all junior taxing
21 districts imposing taxes on such property shall be reduced or
22 eliminated as follows to bring the consolidated levy of taxes on such
23 property within the provisions of these limitations:

24 (a) First, the levy of a city under section 1 of this act shall be
25 reduced or eliminated;

26 (b) Second, if the consolidated tax levy rate still exceeds these
27 limitations, the certified property tax levy rates of those junior
28 taxing districts authorized under RCW 36.68.525, 36.69.145, and
29 67.38.130 shall be reduced on a pro rata basis or eliminated;

30 (~~(b) Second~~) (c) Third, if the consolidated tax levy rate still
31 exceeds these limitations, the certified property tax levy rates of
32 flood control zone districts shall be reduced on a pro rata basis or
33 eliminated;

34 (~~(c) Third~~) (d) Fourth, if the consolidated tax levy rate still
35 exceeds these limitations, the certified property tax levy rates of all
36 other junior taxing districts, other than fire protection districts,
37 library districts, the first fifty cent per thousand dollars of
38 assessed valuation levies for metropolitan park districts, and the
39 first fifty cent per thousand dollars of assessed valuation levies for

1 public hospital districts, shall be reduced on a pro rata basis or
2 eliminated;

3 ((~~(d) Fourth~~)) (e) Fifth, if the consolidated tax levy rate still
4 exceeds these limitations, the certified property tax levy rates
5 authorized to fire protection districts under RCW 52.16.140 and
6 52.16.160 shall be reduced on a pro rata basis or eliminated; and

7 ((~~(e) Fifth~~)) (f) Sixth, if the consolidated tax levy rate still
8 exceeds these limitations, the certified property tax levy rates
9 authorized for fire protection districts under RCW 52.16.130, library
10 districts, metropolitan park districts under their first fifty cent per
11 thousand dollars of assessed valuation levy, and public hospital
12 districts under their first fifty cent per thousand dollars of assessed
13 valuation levy, shall be reduced on a pro rata basis or eliminated.

14 In determining whether the aggregate rate of tax levy on any
15 property, that is subject to the limitations set forth in RCW
16 84.52.050, exceeds the limitations provided in that section, the
17 assessor shall use the hypothetical state levy, as apportioned to the
18 county under RCW 84.48.080, that was computed under RCW 84.48.080
19 without regard to the reduction under RCW 84.55.012.

20 NEW SECTION. Sec. 8. Sections 1 through 6 of this act constitute
21 a new chapter in Title 35 RCW."

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23 By Senators Horn, Kohl-Welles, Patterson and Hale

24 ADOPTED 2/15/00

25 On page 1, line 1 of the title, after "recreation;" strike the
26 remainder of the title and insert "amending RCW 84.52.010; and adding
27 a new chapter to Title 35 RCW."

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