
HOUSE BILL 2388

State of Washington

56th Legislature

2000 Regular Session

By Representatives Parlette and Mulliken

Read first time 01/12/2000. Referred to Committee on Local Government.

1 AN ACT Relating to the establishment of boundaries when creating a
2 metropolitan park district; amending RCW 35.61.010, 35.61.020,
3 35.61.030, 35.61.040, 35.61.050, 35.61.250, and 84.09.030; and adding
4 a new section to chapter 35.61 RCW.

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

6 **Sec. 1.** RCW 35.61.010 and 1994 c 81 s 60 are each amended to read
7 as follows:

8 ~~((Cities of five thousand or more population and such contiguous
9 property the residents of which may decide in favor thereof in the
10 manner set forth in this chapter may create))~~ A metropolitan park
11 district may be created for the management, control, improvement,
12 maintenance, and acquisition of parks(~~(, parkways,)~~) and ~~((boulevards))~~
13 recreation facilities as defined in this chapter. A metropolitan park
14 district must include all of the territory within a city with a
15 population of at least five thousand, and may include additional
16 contiguous territory, whether unincorporated territory or all of the
17 territory located in one or more additional cities.

1 **Sec. 2.** RCW 35.61.020 and 1965 c 7 s 35.61.020 are each amended to
2 read as follows:

3 (1) A ballot proposition authorizing the creation of a metropolitan
4 park district shall be submitted by ordinance to the voters of the area
5 proposed to be included in the park district at any general election,
6 or at any special election which may be called for that purpose~~((, or~~
7 ~~at any city election held in the city in all of the various voting~~
8 ~~precincts thereof, the city council or commission may,))~~.

9 (a) The ballot proposition shall be submitted if the legislative
10 authority of the city enacts such an ordinance after adopting a
11 resolution proposing creation of a metropolitan park district or ((on))
12 if a petition ((of)) proposing creation of a metropolitan park district
13 is submitted to the county auditor that has been signed by at least
14 fifteen percent of the ((qualified electors of the city based upon the
15 registration for the last preceding general city election, shall by
16 ordinance, submit to the voters of the city the proposition of creating
17 a metropolitan park district, the limits of which shall be coextensive
18 with the limits of the city as now or hereafter established, inclusive
19 of territory annexed to and forming a part of)) registered voters
20 residing in the city.

21 (b) For districts proposed to be created after January 1, 2000, the
22 ballot proposition shall be submitted if either: (i) A resolution
23 proposing the creation of the metropolitan park district is adopted by
24 the governing body of each city proposed to be included in the park
25 district and the county legislative authority of the county in which
26 any unincorporated area proposed to be included in the park district is
27 located; or (ii) a petition proposing the creation of the metropolitan
28 park district is submitted to the county auditor that has been signed
29 by at least fifteen percent of the registered voters residing in the
30 area proposed to be included in the park district. The petition or
31 resolution shall describe the boundaries of the proposed metropolitan
32 park district and propose creating the park district.

33 (2) The ballot proposition shall be approved by a majority of the
34 voters residing in the area in which the metropolitan park district is
35 proposed to be created.

36 (3) Once created, any territory ((by virtue of its annexation))
37 that is annexed to any city ((having heretofore created a)) included in
38 a metropolitan park district shall be ((deemed to be within the limits
39 of)) added automatically to the metropolitan park district upon the

1 effective date of the annexation by the city and such an extension of
2 a park district's boundaries shall not be subject to review by a
3 boundary review board.

4 ~~((The city council or commission shall submit the proposition at a~~
5 ~~special election to be called therefor when the petition so requests.))~~

6 **Sec. 3.** RCW 35.61.030 and 1985 c 469 s 32 are each amended to read
7 as follows:

8 ~~((In submitting the question to the voters for their approval or~~
9 ~~rejection, the city council or commission shall pass an ordinance~~
10 ~~declaring its intention to submit the proposition of creating a~~
11 ~~metropolitan park district to the qualified voters of the city. The~~
12 ~~ordinance shall be published once a week for two consecutive weeks in~~
13 ~~the official newspaper of the city, and the city council or commission~~
14 ~~shall cause to be placed upon the ballot for the election, at the~~
15 ~~proper place, the))~~

16 (1) The ballot proposition authorizing creation of a metropolitan
17 park district that is submitted to voters for their approval or
18 rejection shall appear on the ballot of the next general election or at
19 the next special election date specified under RCW 29.13.020 occurring
20 sixty or more days after the last resolution proposing the creation of
21 the park district is adopted or the date the county auditor certifies
22 that the petition proposing the creation of the park district contains
23 sufficient valid signatures, if a boundary review board does not exist
24 in the county.

25 (2) The creation of a metropolitan park district is not subject to
26 review by a boundary review board if the proposed metropolitan park
27 district only includes one or more cities and the special election at
28 which a ballot proposition authorizing creation of the park district
29 shall be held as if a boundary review board does not exist in the
30 county. In all other instances, notice of the proposal to create a
31 metropolitan park district shall be filed with the boundary review
32 board as provided under RCW 36.93.090 and the special election at which
33 a ballot proposition authorizing creation of the park district shall be
34 held at the next special election date specified under RCW 29.13.020
35 sixty or more days after the date the boundary review board is deemed
36 to have approved the proposal, approves the proposal, or modifies and
37 approves the proposal.

1 (3) The legislative authority of a city placing on the ballot a
2 proposition ((which)) authorizing the creation of a metropolitan park
3 district shall ((be expressed in)), in the ordinance submitting the
4 question to the voters, choose and describe the composition of the
5 initial metropolitan park district commission that is proposed under
6 RCW 35.61.050. The proposition shall include the following terms:

7 1 "For the formation of a metropolitan park district."

8 1 "Against the formation of a metropolitan park district."

9 **Sec. 4.** RCW 35.61.040 and 1965 c 7 s 35.61.040 are each amended to
10 read as follows:

11 If ~~((at an election))~~ a majority of the voters voting ~~((thereon))~~
12 on the ballot proposition authorizing the creation of the metropolitan
13 park district vote in favor of the formation of a metropolitan park
14 district, the metropolitan park district shall ~~((then be and become))~~
15 be created as a municipal corporation effective immediately upon
16 certification of the election results that voters approved the ballot
17 proposition and its name shall be "Metropolitan Park District of
18 (inserting the name of the largest city included in the
19 park district)."

20 **Sec. 5.** RCW 35.61.050 and 1994 c 223 s 23 are each amended to read
21 as follows:

22 (1) Five park commissioners shall be elected at large as the
23 initial members of the board of park commissioners for the metropolitan
24 park district at the same election at which the ballot proposition is
25 submitted to the voters as to whether a metropolitan park district is
26 to be formed(~~(, five park commissioners shall be elected)~~). The
27 election of metropolitan park commissioners shall be null and void if
28 the metropolitan park district is not created. Candidates shall run
29 for specific commission positions. ~~((No))~~ A primary shall not be held
30 to nominate candidates.

31 (2) The person receiving the greatest number of votes for each
32 position shall be elected as a metropolitan park commissioner. The
33 staggering of the terms of office shall occur as follows: ((+1)) (a)
34 The two persons who are elected receiving the two greatest numbers of
35 votes shall be elected to six-year terms of office if the election is
36 held in an odd-numbered year or five-year terms of office if the
37 election is held in an even-numbered year; ((+2)) (b) the two persons

1 who are elected receiving the next two greatest numbers of votes shall
2 be elected to four-year terms of office if the election is held in an
3 odd-numbered year or three-year terms of office if the election is held
4 in an even-numbered year; and ~~((+3))~~ (c) the other person who is
5 elected shall be elected to a two-year term of office if the election
6 is held in an odd-numbered year or a one-year term of office if the
7 election is held in an even-numbered year.

8 The initial metropolitan park commissioners shall take office
9 immediately when they are elected and qualified, and for purposes of
10 computing their terms of office the terms shall be assumed to commence
11 on the first day of January in the year after they are elected.
12 Thereafter, all commissioners shall be elected to six-year terms of
13 office at general elections held in odd-numbered years.

14 All commissioners shall serve until their respective successors are
15 elected and qualified and assume office in accordance with RCW
16 29.04.170. Vacancies shall occur and shall be filled as provided in
17 chapter 42.12 RCW.

18 **Sec. 6.** RCW 35.61.250 and 1985 c 416 s 4 are each amended to read
19 as follows:

20 The territory adjoining a metropolitan park district may be annexed
21 to and become a part ~~((thereof upon))~~ of the metropolitan park district
22 under a petition and ((an)) election ((held pursuant thereto)) method
23 of annexation. The petition shall define the territory proposed to be
24 annexed and must be signed by twenty-five registered voters, resident
25 within the territory proposed to be annexed, unless the territory is
26 within the limits of another city when it must be signed by twenty
27 percent of the registered voters residing within the territory proposed
28 to be annexed. The petition must be addressed to the board of park
29 commissioners requesting that the question be submitted to the legal
30 voters of the territory proposed to be annexed, whether they will be
31 annexed and become a part of the metropolitan park district. If the
32 board of park commissioners accepts the proposed annexation, a ballot
33 proposition authorizing the annexation shall be submitted to voters
34 residing in the territory at a special election date specified under
35 RCW 29.13.020.

36 **Sec. 7.** RCW 84.09.030 and 1996 c 230 s 1613 are each amended to
37 read as follows:

1 Except as follows, the boundaries of counties, cities and all other
2 taxing districts, for purposes of property taxation and the levy of
3 property taxes, shall be the established official boundaries of such
4 districts existing on the first day of March of the year in which the
5 property tax levy is made.

6 The official boundaries of a newly incorporated taxing district
7 shall be established at a different date in the year in which the
8 incorporation occurred as follows:

9 (1) Boundaries for a newly incorporated city shall be established
10 on the last day of March of the year in which the initial property tax
11 levy is made, and the boundaries of a road district, library district,
12 or fire protection district or districts, that include any portion of
13 the area that was incorporated within its boundaries shall be altered
14 as of this date to exclude this area, if the budget for the newly
15 incorporated city is filed pursuant to RCW 84.52.020 and the levy
16 request of the newly incorporated city is made pursuant to RCW
17 84.52.070. Whenever a proposed city incorporation is on the March
18 special election ballot, the county auditor shall submit the legal
19 description of the proposed city to the department of revenue on or
20 before the first day of March;

21 (2) Boundaries for a newly incorporated port district shall be
22 established on the first day of October if the boundaries of the newly
23 incorporated port district are coterminous with the boundaries of
24 another taxing district, as they existed on the first day of March of
25 that year;

26 (3) Boundaries of any other newly incorporated taxing district
27 shall be established on the first day of June of the year in which the
28 property tax levy is made if the taxing district has boundaries
29 coterminous with the boundaries of another taxing district, as they
30 existed on the first day of March of that year;

31 (4) Boundaries for a newly incorporated water-sewer district shall
32 be established on the fifteenth of June of the year in which the
33 proposition under RCW 57.04.050 authorizing a water district excess
34 levy is approved;

35 (5) Boundaries of a newly incorporated metropolitan park district
36 shall be established on the first day of June of the year in which the
37 proposition under RCW 35.61.030 authorizing creation of the park
38 district is approved. The boundaries of a park and recreation district
39 or park and recreation service area from which territory has been

1 removed under section 8 of this act, as the result of the creation of
2 a new metropolitan park district, shall be established on the first day
3 of June of the year in which the ballot proposition authorizing the
4 metropolitan park district is approved.

5 The boundaries of a taxing district shall be established on the
6 first day of June if territory has been added to, or removed from, the
7 taxing district after the first day of March of that year with
8 boundaries coterminous with the boundaries of another taxing district
9 as they existed on the first day of March of that year. However, the
10 boundaries of a road district, library district, or fire protection
11 district or districts, that include any portion of the area that was
12 annexed to a city or town within its boundaries shall be altered as of
13 this date to exclude this area. In any case where any instrument
14 setting forth the official boundaries of any newly established taxing
15 district, or setting forth any change in such boundaries, is required
16 by law to be filed in the office of the county auditor or other county
17 official, said instrument shall be filed in triplicate. The officer
18 with whom such instrument is filed shall transmit two copies to the
19 county assessor.

20 No property tax levy shall be made for any taxing district whose
21 boundaries are not established as of the dates provided in this
22 section.

23 NEW SECTION. Sec. 8. A new section is added to chapter 35.61 RCW
24 to read as follows:

25 Any area included within a park and recreation district or a park
26 and recreation service area that is also included within a newly
27 created metropolitan park district or is annexed by a metropolitan park
28 district shall be removed from the park and recreation district or the
29 park and recreation service area immediately upon the effective date of
30 the creation of the new metropolitan park district or the annexation by
31 the metropolitan park district.

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