
ENGROSSED SUBSTITUTE SENATE BILL 6566

State of Washington

56th Legislature

2000 Regular Session

By Senate Committee on State & Local Government (originally sponsored by Senators Kohl-Welles, Long, Swecker, Kline, Hale, Costa, Thibaudeau, Prentice, Spanel, Gardner, Bauer, Shin, Jacobsen, B. Sheldon, Patterson, McAuliffe and Winsley)

Read first time 02/04/2000.

1 AN ACT Relating to local parks and recreation; amending RCW
2 84.52.010; and adding a new chapter to Title 35 RCW.

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

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

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

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

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

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

11 (2) Any city placing on the ballot a proposition to authorize the
12 levy of taxes under this act shall, in the ballot ordinance, agree to
13 continue, for so long as the city levies general taxes under this act,
14 to appropriate annually for park and recreation purposes, from sources
15 other than general taxes levied under this act, at least the same
16 dollar amount the city appropriated for park and recreation purposes in
17 the last annual budget adopted before the effective date of this act.

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

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

32 NEW SECTION. **Sec. 5.** (1) If the legislative authority of a city
33 whose voters have authorized taxes under section 1 of this act
34 contracts with one or more nonprofit corporations or other public
35 organizations for the overall management and operation of a zoo, an
36 aquarium, or both, that contract shall be subject to this section. No

1 such contract for the overall management and operation of zoo or
2 aquarium facilities by a nonprofit corporation or other public
3 organization shall have an initial term or any renewal term longer than
4 thirty years, but may be renewed by the legislative authority of the
5 city upon the expiration of an initial term or any renewal term.

6 (2) A nonprofit corporation or other public organization that
7 contracts with the legislative authority of a city for the overall
8 management and operation of a zoo, aquarium, or both under chapter
9 . . . , Laws of 2000 (this act) must comply with chapters 42.23 and
10 42.30 RCW and RCW 42.17.250 through 42.17.348.

11 (3) Before approving each initial and any renewal contract with a
12 nonprofit corporation or other public organization for the overall
13 management and operation of any facilities, the city legislative
14 authority shall hold a public hearing on the proposed management and
15 operation by the nonprofit corporation or other public organization.
16 At least thirty days prior to the hearing, a public notice setting
17 forth the date, time, and place of the hearing must be published at
18 least once in a local newspaper of general circulation. Notice of the
19 hearing shall also be mailed or otherwise delivered to all who would be
20 entitled to notice of a special meeting of the city legislative
21 authority under RCW 42.30.080. The notice shall identify the
22 facilities involved and the nonprofit corporation or other public
23 organization proposed for management and operation under the contract
24 with the city. The terms and conditions under which the city proposes
25 to contract with the nonprofit corporation or other public organization
26 for management and operation shall be available upon request from and
27 after the date of publication of the hearing notice and at the hearing,
28 but after the public hearing the city legislative authority may amend
29 the proposed terms and conditions at open public meetings.

30 (4) As part of the management and operation contract, the
31 legislative authority of the city may authorize the managing and
32 operating entity to grant to any nonprofit corporation or public or
33 private organization franchises or concessions that further the public
34 use and enjoyment of the zoo or aquarium, as the case may be, and may
35 authorize the managing and operating entity to contract with any public
36 or private organization for any specific services as are routinely so
37 procured by the city.

38 (5) Notwithstanding any provision in the charter of the city so
39 contracting for the overall management and operation of a zoo or an

1 aquarium, or any other provision of law, the nonprofit corporation or
2 other public organization with responsibility for overall management or
3 operation of any such facilities pursuant to a contract under this
4 section may, in carrying out that responsibility under such contract,
5 manage, supervise, and control those employees of the city employed in
6 connection with the zoo or aquarium and may hire, fire, and otherwise
7 discipline those employees. Notwithstanding any provision in the
8 charter of the city so contracting for the overall management and
9 operation of a zoo or an aquarium, or any other provision of law, the
10 civil service system of any such city shall provide for the nonprofit
11 corporation or other public organization to manage, supervise, control,
12 hire, fire, and otherwise discipline those employees of the city
13 employed in connection with the zoo or aquarium.

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

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

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

21 The rate percent of all taxes for state and county purposes, and
22 purposes of taxing districts coextensive with the county, shall be
23 determined, calculated and fixed by the county assessors of the
24 respective counties, within the limitations provided by law, upon the
25 assessed valuation of the property of the county, as shown by the
26 completed tax rolls of the county, and the rate percent of all taxes
27 levied for purposes of taxing districts within any county shall be
28 determined, calculated and fixed by the county assessors of the
29 respective counties, within the limitations provided by law, upon the
30 assessed valuation of the property of the taxing districts
31 respectively.

32 When a county assessor finds that the aggregate rate of tax levy on
33 any property, that is subject to the limitations set forth in RCW
34 84.52.043 or 84.52.050, exceeds the limitations provided in either of
35 these sections, the assessor shall recompute and establish a
36 consolidated levy in the following manner:

1 (1) The full certified rates of tax levy for state, county, county
2 road district, and city or town purposes shall be extended on the tax
3 rolls in amounts not exceeding the limitations established by law;
4 however any state levy shall take precedence over all other levies and
5 shall not be reduced for any purpose other than that required by RCW
6 84.55.010. If, as a result of the levies imposed under RCW 84.52.069,
7 84.34.230, the portion of the levy by a metropolitan park district that
8 was protected under RCW 84.52.120, and 84.52.105, the combined rate of
9 regular property tax levies that are subject to the one percent
10 limitation exceeds one percent of the true and fair value of any
11 property, then these levies shall be reduced as follows: (a) The
12 portion of the levy by a metropolitan park district that is protected
13 under RCW 84.52.120 shall be reduced until the combined rate no longer
14 exceeds one percent of the true and fair value of any property or shall
15 be eliminated; (b) if the combined rate of regular property tax levies
16 that are subject to the one percent limitation still exceeds one
17 percent of the true and fair value of any property, then the levy by a
18 city under section 1 of this act shall be reduced until the combined
19 rate no longer exceeds one percent of the true and fair value of any
20 property or shall be eliminated; (c) if the combined rate of regular
21 property tax levies that are subject to the one percent limitation
22 still exceeds one percent of the true and fair value of any property,
23 then the levies imposed under RCW 84.34.230, 84.52.105, and any portion
24 of the levy imposed under RCW 84.52.069 that is in excess of thirty
25 cents per thousand dollars of assessed value, shall be reduced on a pro
26 rata basis until the combined rate no longer exceeds one percent of the
27 true and fair value of any property or shall be eliminated; and ((+e))
28 (d) if the combined rate of regular property tax levies that are
29 subject to the one percent limitation still exceeds one percent of the
30 true and fair value of any property, then the thirty cents per thousand
31 dollars of assessed value of tax levy imposed under RCW 84.52.069 shall
32 be reduced until the combined rate no longer exceeds one percent of the
33 true and fair value of any property or eliminated.

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

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

3 (b) Second, if the consolidated tax levy rate still exceeds these
4 limitations, the certified property tax levy rates of those junior
5 taxing districts authorized under RCW 36.68.525, 36.69.145, and
6 67.38.130 shall be reduced on a pro rata basis or eliminated;

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

11 (~~(c) Third~~) (d) Fourth, if the consolidated tax levy rate still
12 exceeds these limitations, the certified property tax levy rates of all
13 other junior taxing districts, other than fire protection districts,
14 library districts, the first fifty cent per thousand dollars of
15 assessed valuation levies for metropolitan park districts, and the
16 first fifty cent per thousand dollars of assessed valuation levies for
17 public hospital districts, shall be reduced on a pro rata basis or
18 eliminated;

19 (~~(d) Fourth~~) (e) Fifth, if the consolidated tax levy rate still
20 exceeds these limitations, the certified property tax levy rates
21 authorized to fire protection districts under RCW 52.16.140 and
22 52.16.160 shall be reduced on a pro rata basis or eliminated; and

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

30 In determining whether the aggregate rate of tax levy on any
31 property, that is subject to the limitations set forth in RCW
32 84.52.050, exceeds the limitations provided in that section, the
33 assessor shall use the hypothetical state levy, as apportioned to the
34 county under RCW 84.48.080, that was computed under RCW 84.48.080
35 without regard to the reduction under RCW 84.55.012.

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

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