
SENATE BILL 6566

State of Washington

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By Senators Kohl-Welles, Long, Swecker, Kline, Hale, Costa, Thibaudeau, Prentice, Spanel, Gardner, Bauer, Shin, Jacobsen, B. Sheldon, Patterson, McAuliffe and Winsley

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1 AN ACT Relating to local parks and recreation; amending RCW
2 35.61.010 and 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.** Any first class city with a population of
5 five hundred thousand or more, no part of which is contained in a
6 metropolitan park district, may create a local parks authority for the
7 management, control, construction, improvement, equipping, maintenance,
8 operation, and acquisition of park and recreation facilities. A local
9 parks authority is a municipal corporation, an independent taxing
10 "authority" within the meaning of Article VII, section 1 of the state
11 Constitution, and a "taxing district" within the meaning of Article
12 VII, section 2 of the state Constitution. The creation and automatic
13 expansion of a local parks authority with boundaries coterminous with
14 those of the city shall not be subject to potential review by a
15 boundary review board under chapter 36.93 RCW, but its dissolution or
16 disincorporation shall be subject to potential review.

17 NEW SECTION. **Sec. 2.** As used in this chapter:

1 (1) "Park and recreation purposes" and "park and recreation
2 facilities" includes all purposes and facilities permitted to a
3 metropolitan park district under chapter 35.61 RCW except aviation
4 landings and professional sports stadiums;

5 (2) "Zoo" and "aquarium" each include related administrative and
6 support facilities; and

7 (3) "Land or lands" refers to land, water, or air, or any related
8 rights or improvements to property.

9 NEW SECTION. **Sec. 3.** At any general election, or at any special
10 election which may be called for that purpose, or at any city election
11 the city council may, or on petition of fifteen percent of the
12 qualified electors of the city based upon the registration for the last
13 preceding general city election, shall by ordinance, submit to the
14 voters of the city the proposition of creating a local parks authority,
15 the limits of which shall be coextensive with the limits of the city as
16 now or hereafter established, inclusive of territory annexed to and
17 forming a part of the city.

18 Territory by virtue of its annexation to any city having created a
19 local parks authority shall be deemed to be within the limits of the
20 local parks authority.

21 NEW SECTION. **Sec. 4.** In order to submit the question to the
22 qualified voters of the city for their approval or rejection, the city
23 council shall pass an ordinance. The ordinance may include limitations
24 on the powers of the proposed local parks authority, including but not
25 limited to, limitations on nonvoted debt, limitations on nonvoted tax
26 rates, provisions for dissolution that will not impair the obligations
27 of contracts, maintenance of effort requirements, citizen oversight or
28 advisory mechanisms, and citizen protections that appear in the city's
29 charter. If the ordinance provides, some or all of the limitations may
30 be subject to later removal or revision through processes specified in
31 the ordinance, which may require a future vote of the electors of the
32 local parks authority. The ordinance may also include a proposed
33 general tax rate or amount and if the voters approve the formation of
34 the local parks authority as set forth in the ordinance, that approval
35 shall also serve as the voter approval required by Initiative Measure
36 No. 695 for all tax increases up to the tax rate or amount specified in
37 the ordinance.

1 The ordinance shall be published once a week, for two consecutive
2 weeks in the official newspaper of the city, and the city council shall
3 cause to be placed upon the ballot for the election, at the proper
4 place, language which includes substantially the following terms:

5 [] "For the formation of a local parks authority, which includes
6 a property tax levy of (insert rate) per thousand dollars
7 of assessed valuation."

8 [] "Against the formation of a local parks authority."

9 Notice of the election must be given as required by law for other city
10 ballot measures.

11 NEW SECTION. **Sec. 5.** If at an election, a majority of the voters
12 voting approve the formation of a local parks authority, the local
13 parks authority shall then become a municipal corporation, subject to
14 all limitations and conditions contained in the ordinance as permitted
15 by section 4 of this act, and its name shall be "Local Parks Authority
16 of (inserting the name of the city)" or any other name
17 provided for in the ballot measure.

18 NEW SECTION. **Sec. 6.** The legislative authority, including the
19 elected mayor, if any, acting in the mayor's ordinary legislative
20 capacity, of the city whose voters created the local parks authority
21 shall serve ex officio and independently as the board of commissioners
22 which is the governing body of the local parks authority. The
23 commissioners shall perform their duties without additional
24 compensation.

25 The governing body of a local parks authority is subject to the
26 same limitations on its place of meeting as apply to the meeting place
27 of the governing body of the city whose voters created the local parks
28 authority.

29 NEW SECTION. **Sec. 7.** If the city whose voters created the local
30 parks authority is required to have a citizen board to advise on park
31 and recreation matters, then the governing body of the local parks
32 authority shall convene a citizen advisory board, or call upon an
33 existing parks advisory board or park commission, whose function shall
34 be to provide it with advice, including but not limited to, advice on
35 funding allocations. The number of members of the board, their terms

1 of office, the manner in which they shall be appointed and may be
2 removed, and their duties shall be as prescribed by the governing body
3 of the local parks authority, subject to any conditions established in
4 the ordinance submitting the formation of the local parks authority to
5 the voters.

6 NEW SECTION. **Sec. 8.** Notwithstanding any other provision of this
7 chapter, but without eliminating or overriding the requirements for
8 unanimous board action and consent contained in section 12 of this act
9 for the disposition of property, the voters of a local parks authority
10 shall have the power, within the scope of the functions of a local
11 parks authority, to initiate and refer to themselves legislation to the
12 same extent and on the same matters as do the voters of the city whose
13 voters created the local parks authority. These powers of initiative
14 and referendum shall be exercised in the same manner and with the same
15 effect as permitted for the voters of that city. In a city where,
16 because of charter requirements, legislation generally may not take
17 effect until at least thirty days after the final favorable action by
18 the mayor and city council, that same minimum delay in the effective
19 date applies to all local parks authority legislation other than
20 emergency acts that would qualify under the city's charter to take
21 effect immediately.

22 NEW SECTION. **Sec. 9.** The manner of holding any general or special
23 election in a local parks authority shall be in accordance with the
24 general election laws of this state insofar as they are not
25 inconsistent with the provisions of this chapter.

26 NEW SECTION. **Sec. 10.** A local parks authority has the right of
27 eminent domain to condemn lands lying within its boundaries. The board
28 of commissioners of a local parks authority may purchase or acquire
29 lands lying within or without the boundaries of the local parks
30 authority. The right of eminent domain shall be exercised and
31 instituted pursuant to resolution of the board of commissioners and
32 conducted in the same manner and under the same procedure as is or may
33 be provided by law for the exercise of the power of eminent domain by
34 incorporated cities and towns of the state of Washington in the
35 acquisition of property rights.

1 The board of commissioners shall have power to employ counsel,
2 regulate, manage, and control properties under its control, provide law
3 enforcement, employ a secretary of the board of commissioners and all
4 necessary employees, and prescribe their salaries and duties. The
5 mayor of the city whose voters created the local parks authority shall
6 serve ex officio as the chief executive officer of the local parks
7 authority. The board of commissioners shall have power to improve,
8 acquire, extend and maintain, and open and lay out park and recreation
9 facilities within or without the local parks authority, on land owned
10 by itself or by others, and to authorize, conduct and manage the
11 conduct of the forms of recreation or business it judges desirable or
12 beneficial for the public, or for the production of revenue for
13 expenditure for local parks authority purposes. It may pay out moneys
14 for the maintenance and improvement of any lands that now exist, or may
15 be acquired, within or without the limits of the city and for the
16 purchase of lands within or without the limits of the city, whenever it
17 deems the expenditure or purchase to be for the benefit of the public
18 and for the interest of the local parks authority or the city within
19 which it is located, and for the maintenance and improvement, and for
20 all expenses incidental to its duties. All lands owned by a local
21 parks authority are subject to the police regulations of the city
22 within whose limits they lie, or the county should the premises be
23 outside city limits.

24 NEW SECTION. **Sec. 11.** A local parks authority shall be subject to
25 general state laws pertaining to open public meetings, minutes of
26 meetings, retention, disclosure, and protection of public records,
27 local government whistleblower protection, and all other general laws
28 that by their terms apply to all municipal corporations.

29 NEW SECTION. **Sec. 12.** (1) The board of commissioners of a local
30 parks authority is authorized, by unanimous board decision and with the
31 approval of the legislative authority of the city within which it is
32 located, to convey any or all of its real or personal property to that
33 city. The board of commissioners of a local parks authority shall not
34 declare surplus on any of its real property without first having
35 offered to donate that property to the city within which it is located.

36 (2) Except as set forth in subsection (1) of this section, every
37 local parks authority may, by unanimous decision of its board of

1 commissioners, sell, exchange, or otherwise dispose of any real or
2 personal property when that property is declared surplus for local
3 parks authority purposes. However, where the property is acquired by
4 donation or dedication for park or recreation purposes, the consent of
5 the donor or dedicator, his or her heirs, successors, or assigns also
6 must be first obtained if the consent of the donor is required in the
7 instrument conveying the property to the local parks authority. In the
8 event the donor or dedicator, his or her heirs, successors, or assigns
9 cannot be located after a reasonable search, the local parks authority
10 may petition the superior court in the county where the property is
11 located for approval of the sale. If sold, all sales shall be by
12 public bids and sale made only to the highest bidder except as set
13 forth in subsection (1) of this section.

14 NEW SECTION. **Sec. 13.** (1)(a)(i) A local parks authority shall
15 never become the owner of a park that, at the time of creation of the
16 local parks authority, was owned by the city in which the local parks
17 authority was created.

18 (ii) Except as prohibited by (a)(i) of this subsection, any city
19 within or comprising any local parks authority may transfer to the
20 local parks authority any lands, facilities, equipment, or interests in
21 any lands, facilities, or equipment which it may own, or any public
22 place within the city for local parks authority purposes, and
23 thereafter its control and management shall vest in the board of
24 commissioners of the local parks authority. However, the police
25 regulations of the city in which the property is located, or the county
26 should the premises be outside city limits, applies to all property.

27 (b) Additionally, the legislative authority of a city in which a
28 local parks authority is created may contract with that local parks
29 authority for overall management and operation of a city zoo, a city
30 aquarium, or both. In the event the local parks authority contracts
31 with a nonprofit corporation or other public organization pursuant to
32 section 14(1)(a) of this act, the arrangement between the city and the
33 local parks authority shall provide for employment by the local parks
34 authority of persons no longer employed by the city because the city is
35 ceasing to manage and operate that zoo or aquarium. For these
36 contracts, the city legislative authority must first hold a public
37 hearing on the proposed lease or proposed management and operation by
38 the local parks authority. At least ten days prior to the hearing, a

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

13 (c) The legislative authority of a city in which a local parks
14 authority is created may not contract with the local parks authority
15 for overall management and operation of any city parks and recreation
16 facilities or lease any city parks and recreation facilities to that
17 local parks authority except as authorized in (a) and (b) of this
18 subsection.

19 (2) Any time the governing body of any local parks authority and
20 the legislative body of the city whose voters created the local parks
21 authority determines that the financial aid of the city should be
22 extended in order to provide for operation, maintenance, or improvement
23 of the facilities, properties, and programs of the local parks
24 authority, the city may grant or loan to the local parks authority any
25 of its available funds, or any funds which it may lawfully procure and
26 make available, as it finds appropriate to provide for the continuous
27 operation, maintenance, and improvement. Accordingly, the city and the
28 local parks authority are authorized and empowered to enter into an
29 agreement embodying the terms and conditions of any grant or loan as
30 may be mutually agreed upon.

31 (3) The local parks authority's board of commissioners may accept
32 public property for public purposes when donated for local parks
33 authority purposes.

34 (4) Counties may turn over to a local parks authority any lands and
35 facilities and equipment or interests in any lands, facilities, or
36 equipment that they own, and the board of commissioners of the local
37 parks authority may accept any lands and equipment or interests in any
38 lands, facilities, or equipment for local parks authority purposes.

1 NEW SECTION. **Sec. 14.** (1)(a) The board of commissioners of a
2 local parks authority may contract with one or more nonprofit
3 corporations or other public organizations, including the city whose
4 voters created the local parks authority, for the overall management
5 and operation of a zoo and an aquarium or either of them, for which the
6 local parks authority has a management and operations contract under
7 section 13(1)(b) of this act. No contract for the overall management
8 and operation of any facilities by a nonprofit corporation or other
9 public organization shall have an initial term or any renewal term
10 longer than thirty years, but may be renewed by the board of local
11 parks authority commissioners upon the expiration of an initial term or
12 any renewal term.

13 (b) The board of commissioners of a local parks authority may grant
14 and may authorize the managing and operating entity to grant to any
15 nonprofit corporation or other public or private organization
16 franchises or concessions that further the public use and enjoyment of
17 park and recreation facilities, and may contract and may authorize the
18 managing and operating entity to contract with any public or private
19 organization for any specific services as are routinely procured by the
20 city whose voters created the local parks authority.

21 (2) Before approving each initial and any renewal contract with a
22 nonprofit corporation for the overall management and operation of any
23 facilities, the board of commissioners of the local parks authority
24 shall hold a public hearing on the proposed management and operation by
25 the nonprofit corporation. At least thirty days prior to the hearing,
26 a public notice setting forth the date, time, and place of the hearing
27 must be published at least once in a local newspaper of general
28 circulation. Notice of the hearing shall be mailed or otherwise
29 delivered to all who would be entitled to notice of a special meeting
30 of the board under RCW 42.30.080. The notice shall identify the
31 facilities involved and the nonprofit corporation proposed for
32 management and operation under contract with the local parks authority.
33 The terms and conditions under which the local parks authority proposes
34 to contract with the nonprofit corporation for management and operation
35 shall be available upon request from and after the date of publication
36 of the hearing notice and at the hearing, but after the public hearing
37 the board of commissioners may amend the proposed terms and conditions
38 at open public meetings.

1 (3) A local parks authority shall contract with the city whose
2 voters created the local parks authority to carry out all of the local
3 parks authority's management and operations except for the management
4 and operation of facilities for which the local parks authority has a
5 contract with another public agency or a nonprofit corporation under
6 subsection (1) or (2) of this section. The contract with the city may
7 provide for its termination if the local parks authority commissioners
8 approve a contract with another entity under subsection (1) or (2) of
9 this section.

10 (4) The nonprofit corporation or other public organization with
11 responsibility for overall management or operation of any facilities
12 under this chapter may, in carrying out that responsibility, manage and
13 supervise employees of the local parks authority and may hire, fire,
14 and otherwise discipline those employees. If a civil service is
15 established under section 18 of this act, that system shall make
16 provision for the nonprofit corporation or other public organization to
17 manage, supervise, hire, fire, and otherwise discipline those
18 employees.

19 NEW SECTION. **Sec. 15.** (1) The treasurer of a local parks
20 authority shall be the city treasurer of the city included in the local
21 parks authority's boundaries. The city treasurer shall possess and may
22 exercise all powers with respect to the local parks authority that are
23 possessed by a county treasurer with respect to a county, other than
24 the authority to collect property taxes. The city treasurer, when
25 acting as the treasurer of a local parks authority, shall receive no
26 compensation other than his or her regular salary for acting as the
27 treasurer of the local parks authority. The city treasurer may not
28 charge a greater amount for treasury services than permitted by the
29 county treasurer for similar services under RCW 36.29.020.

30 (2) General taxes of the local parks authority shall be distributed
31 to the treasurer of the local parks authority by the county treasurer
32 as is done for cities.

33 NEW SECTION. **Sec. 16.** (1) The board of commissioners may levy a
34 general tax on all property located in the local parks authority each
35 year not to exceed fifty cents per thousand dollars of assessed
36 valuation.

1 (2) The board is authorized to levy a general tax in excess of its
2 regular property tax levy when authorized to do so at an election
3 conducted in accordance with and subject to all the requirements of the
4 Constitution and law of the state now in force or later enacted which
5 limit excess tax levies. The board is authorized to call a special
6 election for the purpose of submitting to the qualified voters of the
7 local parks authority a proposition to levy a tax in excess of the
8 fifty cent levy authorized under subsection (1) of this section. The
9 manner of submitting a proposition, of certifying the same, and of
10 giving or publishing notice, shall be as provided by law for the
11 submission of propositions by cities or towns.

12 (3) The tax levies shall be certified to the proper county
13 officials for collection in the same manner as general taxes for the
14 city whose voters created the local parks authority and, when
15 collected, the general taxes shall be placed in a separate fund in the
16 office of the local parks authority's treasurer to be known as the
17 "local parks authority fund" and paid out on warrants.

18 NEW SECTION. **Sec. 17.** Every local parks authority through its
19 board of commissioners may, for local parks authority purposes, borrow
20 money, contract indebtedness, and evidence the indebtedness in amounts,
21 with the debt capacity, in the manner, and under the conditions
22 permitted to metropolitan park districts under RCW 35.61.100,
23 35.61.110, and 35.61.115. Bonds and other evidences of indebtedness
24 may also be issued in accordance with chapter 39.46 RCW.

25 NEW SECTION. **Sec. 18.** (1) A local parks authority may establish
26 civil service for some or all of its employees by resolution upon the
27 following plan:

28 (a) It shall create a civil service commission with authority to
29 appoint a personnel officer and to make rules for classification based
30 upon suitable differences in pay for differences in work, and for like
31 pay for like work, and for competitive entrance and promotional
32 examinations; for certifications, appointments, probationary service
33 periods, and dismissals; for demotions and promotions based upon merit
34 and for reemployments, suspensions, transfers, sick leaves, and
35 vacations; for layoffs when necessary according to seniority; for
36 separations from the service by discharge for cause; for hearings and

1 reinstatements, for establishing status for incumbent employees, and
2 for prescribing penalties for violations.

3 (b) The civil service commission and personnel officer shall adopt
4 rules to be known as civil service rules to govern the administration
5 of personnel transactions and procedure. The rules adopted shall have
6 the force and effect of law, and, in any and all proceedings, the rules
7 shall be liberally interpreted and construed to the end that the
8 purposes and basic requirements of the civil service system may be
9 given the fullest force and effect.

10 (2) If a local parks authority has established its own civil
11 service under subsection (1) of this section, or as an alternative to
12 so doing, a local parks authority may contract with the city whose
13 voters created the local parks authority to administer a system for it.

14 (3) Neither the chief executive officer nor officers chiefly
15 responsible for operating a facility or program, as designated by the
16 board of commissioners, shall be members of a civil service that may be
17 established under this section.

18 NEW SECTION. **Sec. 19.** Notwithstanding any provisions to the
19 contrary contained in a city charter, and to the extent provided by the
20 city under an appropriate legislative enactment, some or all employees
21 of a local parks authority may be included in the retirement plan of a
22 city whose voters created the local parks authority if they were
23 previously employed by the city at or in connection with its zoo or
24 aquarium and were members of its retirement plan. The city and local
25 parks authority are each authorized to pay the parts of the expense of
26 operating and maintaining the retirement system and to contribute to
27 the retirement fund on behalf of employees those sums as may be agreed
28 upon between the legislative authorities of the city and the local
29 parks authority, but a proportionate share of system expenses must be
30 borne by or on behalf of the local parks authority employees.

31 NEW SECTION. **Sec. 20.** A board of commissioners of a local parks
32 authority may, upon a majority vote of all its members, dissolve any
33 local parks authority, prorate the liabilities, and turn over to the
34 city or county or each of them so much of the local parks authority
35 property as is respectively located in the city or county or was
36 obtained from the city or county, when:

1 (1) The city or county, through its governing officials, agrees to,
2 and petitions for, a dissolution and the assumption of the assets and
3 liabilities or;

4 (2) Ten percent of the voters of a city or county who voted at the
5 last general election, petition the governing officials for a vote.

6 Additionally, a local parks authority may be dissolved in any
7 lawful manner provided for in the ordinance that placed the question of
8 forming the local parks authority before the voters.

9 NEW SECTION. **Sec. 21.** Nothing in this act shall be construed to
10 affect any terms, conditions, or practices contained in a collective
11 bargaining agreement in effect on the effective date of this act.

12 **Sec. 22.** RCW 35.61.010 and 1994 c 81 s 60 are each amended to read
13 as follows:

14 Cities of five thousand or more population in which there exists no
15 local parks authority pursuant to chapter 35.-- RCW (sections 1 through
16 21 of this act), and such contiguous property the residents of which
17 may decide in favor thereof in the manner set forth in this chapter may
18 create a metropolitan park district for the management, control,
19 improvement, maintenance, and acquisition of parks, parkways, and
20 boulevards.

21 **Sec. 23.** RCW 84.52.010 and 1995 2nd sp.s. c 13 s 4 are each
22 amended to read as follows:

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

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

1 When a county assessor finds that the aggregate rate of tax levy on
2 any property, that is subject to the limitations set forth in RCW
3 84.52.043 or 84.52.050, exceeds the limitations provided in either of
4 these sections, the assessor shall recompute and establish a
5 consolidated levy in the following manner:

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

1 (2) The certified rates of tax levy subject to these limitations by
2 all junior taxing districts imposing taxes on such property shall be
3 reduced or eliminated as follows to bring the consolidated levy of
4 taxes on such property within the provisions of these limitations:

5 (a) First, the certified property tax levy rates of those junior
6 taxing districts authorized under RCW 36.68.525, 36.69.145, and
7 67.38.130 shall be reduced on a pro rata basis or eliminated;

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

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

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

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

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

35 NEW SECTION. **Sec. 24.** Sections 1 through 21 of this act
36 constitute a new chapter in Title 35 RCW.

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