

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 6858

Chapter 206, Laws of 2000

56th Legislature
2000 Regular Session

ZOOS AND AQUARIUMS--OVERALL MANAGEMENT CONTRACTS

EFFECTIVE DATE: 6/8/00

Passed by the Senate March 9, 2000
YEAS 43 NAYS 1

BRAD OWEN
President of the Senate

Passed by the House March 9, 2000
YEAS 97 NAYS 1

CLYDE BALLARD
**Speaker of the
House of Representatives**

FRANK CHOPP
**Speaker of the
House of Representatives**

Approved March 29, 2000

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 6858** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

March 29, 2000 - 3:00 p.m.

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 6858

Passed Legislature - 2000 Regular Session

State of Washington

56th Legislature

2000 Regular Session

By Senators Kohl-Welles, Heavey, Horn, Goings, Rasmussen, Eide and Winsley

Read first time 02/28/2000. Referred to Committee on Ways & Means.

1 AN ACT Relating to zoos and aquariums in cities with populations
2 over one hundred fifty thousand that are not within a metropolitan park
3 district; and adding a new chapter to Title 35 RCW.

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

5 NEW SECTION. **Sec. 1.** (1) If the legislative authority of a city
6 with a population over one hundred fifty thousand that is not in a
7 metropolitan park district contracts with one or more nonprofit
8 corporations or other public organizations for the overall management
9 and operation of a zoo, an aquarium, or both, that contract shall be
10 subject to this section. No such contract for the overall management
11 and operation of zoo or aquarium facilities by a nonprofit corporation
12 or other public organization shall have an initial term or any renewal
13 term longer than twenty years, but may be renewed by the legislative
14 authority of the city upon the expiration of an initial term or any
15 renewal term.

16 (2) Before approving each initial and any renewal contract with a
17 nonprofit corporation or other public organization for the overall
18 management and operation of any facilities, the city legislative
19 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 (3) 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 (4) 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 (5) As part of the management and operation contract, the
2 legislative authority of the city shall provide for oversight of the
3 managing and operating entity to ensure public accountability of the
4 entity and its performance in a manner consistent with the contract.

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

8 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act constitute a
9 new chapter in Title 35 RCW.

Passed the Senate March 9, 2000.

Passed the House March 9, 2000.

Approved by the Governor March 29, 2000.

Filed in Office of Secretary of State March 29, 2000.