

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1303

Chapter 226, Laws of 2005

59th Legislature
2005 Regular Session

METROPOLITAN PARK DISTRICTS

EFFECTIVE DATE: 4/28/05

Passed by the House April 18, 2005
Yeas 95 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 4, 2005
Yeas 39 Nays 0

BRAD OWEN

President of the Senate

Approved April 28, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1303** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

April 28, 2005 - 3:55 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1303

AS AMENDED BY THE SENATE

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By Representatives Appleton, Woods and B. Sullivan

Read first time 01/20/2005. Referred to Committee on Local Government.

1 AN ACT Relating to metropolitan park districts; amending RCW
2 35.61.290, 35.61.300, and 36.69.310; creating a new section; and
3 declaring an emergency.

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

5 **Sec. 1.** RCW 35.61.290 and 1985 c 416 s 5 are each amended to read
6 as follows:

7 (1) Any city within or comprising any metropolitan park district
8 may turn over to the park district any lands which it may own, or any
9 street, avenue, or public place within the city for playground, park or
10 parkway purposes, and thereafter its control and management shall vest
11 in the board of park commissioners: PROVIDED, That the police
12 regulations of such city shall apply to all such premises.

13 At any time that any such metropolitan park district is unable,
14 through lack of sufficient funds, to provide for the continuous
15 operation, maintenance and improvement of the parks and playgrounds and
16 other properties or facilities owned by it or under its control, and
17 the legislative body of any city within or comprising such metropolitan
18 park district shall determine that an emergency exists requiring the
19 financial aid of such city to be extended in order to provide for such

1 continuous operation, maintenance and/or improvement of parks,
2 playgrounds facilities, other properties, and programs of such park
3 district within its limits, such city may grant or loan to such
4 metropolitan park district such of its available funds, or such funds
5 which it may lawfully procure and make available, as it shall find
6 necessary to provide for such continuous operation and maintenance and,
7 pursuant thereto, any such city and the board of park commissioners of
8 such district are authorized and empowered to enter into an agreement
9 embodying such terms and conditions of any such grant or loan as may be
10 mutually agreed upon.

11 The board of metropolitan park commissioners may accept public
12 streets of the city and grounds for public purposes when donated for
13 park, playground, boulevard and park purposes.

14 (2) Counties (~~((may turn over to the park district any park and
15 recreation lands and equipment that they own,))~~) and other municipal
16 corporations, including but not limited to park and recreation
17 districts operating under chapter 36.69 RCW, may transfer to the
18 metropolitan park district, with or without consideration therefor, any
19 lands, facilities, equipment, other interests in real or personal
20 property, or interests under contracts, leases, or similar agreements.
21 The board of metropolitan park commissioners may accept ((such lands
22 and equipment)), for metropolitan park district purposes, such transfer
23 of lands, facilities, equipment, other interests in real or personal
24 property, and interests under contracts, leases, or similar agreements.

25 **Sec. 2.** RCW 35.61.300 and 1985 c 416 s 6 are each amended to read
26 as follows:

27 (1) When any metropolitan park district ((shall be)) is formed
28 pursuant to this chapter and ((shall)) assumes control of the parks,
29 parkways, boulevards, and park property of the city in which said park
30 district is created, or the metropolitan park district accepts ((county
31 park and recreation lands)), pursuant to RCW 35.61.290, any lands,
32 facilities, equipment, other interests in real or personal property, or
33 interests under contracts, leases, or similar agreements from a county
34 or other municipal corporation (including but not limited to a park and
35 recreation district operating under chapter 36.69 RCW), such
36 metropolitan park district ((shall)) may assume all existing
37 indebtedness, bonded or otherwise, ((against such park property, and))

1 incurred in relation to the transferred property or interest, in which
2 case it shall arrange by taxation or issuing bonds, as herein provided,
3 for the payment of such indebtedness, and shall relieve such city
4 ((~~or~~)), county, or municipal corporation from such payment.

5 ((Said)) (2) A metropolitan park district is hereby given authority
6 to issue refunding bonds when necessary, subject to chapters 39.36 and
7 39.53 RCW, in order to enable it to comply with this section.

8 (3)(a) In addition, refunding bonds issued under subsection (2) of
9 this section for the purpose of assuming existing voter-approved
10 indebtedness may be issued, by majority vote of the commissioners, as
11 voter-approved indebtedness, if:

12 (i) The boundaries of the metropolitan park district are identical
13 to the boundaries of the taxing district in which voter approval was
14 originally obtained;

15 (ii) The governing body of the original taxing district has adopted
16 a resolution declaring its intent to dissolve its operations and has
17 named the metropolitan park district as its successor; and

18 (iii) The requisite number of voters of the original taxing
19 district approved issuance of the indebtedness and the levy of excess
20 taxes to pay and retire that indebtedness.

21 (b) A metropolitan park district acting under this subsection (3)
22 is deemed the successor to the original taxing district and any
23 refunding bonds issued under this subsection (3) constitute
24 voter-approved indebtedness. The metropolitan park district shall levy
25 and collect annual property taxes in excess of the district's regular
26 property tax levy, in an amount sufficient to pay and retire the
27 principal of and interest on those refunding bonds.

28 **Sec. 3.** RCW 36.69.310 and 1963 c 4 s 36.69.310 are each amended to
29 read as follows:

30 Any park and recreation district formed under the provisions of
31 this chapter may be dissolved in the manner provided in chapter 53.48
32 RCW, relating to port districts.

33 In order to facilitate the dissolution of a park and recreation
34 district, such a district may declare its intent to dissolve and may
35 name a successor taxing district. It may transfer any lands,
36 facilities, equipment, other interests in real or personal property, or
37 interests under contracts, leases, or similar agreements to the

1 successor district, and may take all action necessary to enable the
2 successor district to assume any indebtedness of the park and
3 recreation district relating to the transferred property and interests.

4 NEW SECTION. Sec. 4. Sections 1 through 3 of this act apply
5 retroactively to metropolitan park district elections occurring on or
6 after May 1, 2004.

7 NEW SECTION. Sec. 5. This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of the
9 state government and its existing public institutions, and takes effect
10 immediately.

Passed by the House April 18, 2005.

Passed by the Senate April 4, 2005.

Approved by the Governor April 28, 2005.

Filed in Office of Secretary of State April 28, 2005.