

2 SSB 6566 - S AMD - 189
3 By Senator Heavey

4 OUT OF ORDER 2/15/00

5 Strike everything after the enacting clause and insert the
6 following:

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

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

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

18 NEW SECTION. **Sec. 2.** A city shall have no authority to levy taxes
19 under section 1 of this act until that power is activated by vote of
20 the city's voters at a regular election or a special election called
21 for that purpose. The ballot proposition whether to activate the
22 city's regular taxing power under this act shall propose an initial
23 regular tax rate or amount and may also propose a maximum regular tax
24 rate or amount. If the voters approve a regular tax rate or amount,
25 that approval shall serve as the voter approval required by Initiative
26 Measure No. 695 for all increases in general regular taxes under this
27 act up to that approved tax rate or amount.

28 NEW SECTION. **Sec. 3.** All instances in which voter approval is
29 called for under sections 1 and 2 of this act shall require an
30 affirmative vote of a majority of the voters of the city voting on the
31 proposition at a general election held within the city or at a special
32 election within the city called by the city for the purpose of
33 submitting such proposition to the voters.

1 NEW SECTION. **Sec. 4.** (1) If the legislative authority of a city
2 whose voters have authorized taxes under section 1 of this act
3 contracts with one or more nonprofit corporations or other public
4 organizations for the overall management and operation of a zoo, an
5 aquarium, or both, that contract shall be subject to this section. No
6 such contract for the overall management and operation of zoo or
7 aquarium facilities by a nonprofit corporation or other public
8 organization shall have an initial term or any renewal term longer than
9 thirty years, but may be renewed by the legislative authority of the
10 city upon the expiration of an initial term or any renewal term.

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

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

37 (4) Notwithstanding any provision in the charter of the city so
38 contracting for the overall management and operation of a zoo or an
39 aquarium, or any other provision of law, the nonprofit corporation or

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

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

16 **Sec. 6.** RCW 84.52.010 and 1995 2nd sp.s. c 13 s 4 are each amended
17 to read as follows:

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

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

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

36 (1) The full certified rates of tax levy for state, county, county
37 road district, and city or town purposes shall be extended on the tax

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

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

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

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

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

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

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

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

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

34 NEW SECTION. Sec. 7. Sections 1 through 5 of this act constitute
35 a new chapter in Title 35 RCW."

1 SSB 6566 - S AMD - 189

2 By Senator Heavey

3

OUT OF ORDER 2/15/00

4 On page 1, line 1 of the title, after "recreation;" strike the
5 remainder of the title and insert "amending RCW 84.52.010; and adding
6 a new chapter to Title 35 RCW."

--- END ---