

SENATE BILL 5268

State of Washington 56th Legislature 1999 Regular Session

By Senators Kohl-Welles, Long, Jacobsen, Hale, Gardner, Rossi, Thibaudeau, Prentice, Kline, Deccio, Costa, Patterson and B. Sheldon

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1 AN ACT Relating to metropolitan park districts; amending RCW
2 35.61.010, 35.61.020, 35.61.030, 35.61.050, 35.61.120, 35.61.130,
3 35.61.150, 35.61.180, 35.61.200, 35.61.250, 35.61.290, and 84.52.010;
4 and adding new sections to chapter 35.61 RCW.

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

6 **Sec. 1.** RCW 35.61.010 and 1994 c 81 s 60 are each amended to read
7 as follows:

8 Cities of five thousand or more population and such contiguous
9 property the residents of which may decide in favor thereof in the
10 manner set forth in this chapter may create a metropolitan park
11 district for the management, control, improvement, maintenance, and
12 acquisition of parks(~~(, parkways,)~~) and (~~(boulevards)~~) recreation
13 facilities as defined in this chapter.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.61 RCW
15 to read as follows:

16 The definitions in this section apply throughout this chapter,
17 unless the context clearly requires otherwise.

18 (1) "City" means both cities and towns, including code cities.

1 (2) "Ex officio board of park commissioners" means the board of
2 park commissioners of a metropolitan park district, only including a
3 city with a population of five hundred thousand or more within its
4 boundaries, that is composed of only the members of a city legislative
5 authority (including the elected mayor, if any, acting in the mayor's
6 ordinary legislative capacity) acting ex officio and independently as
7 provided under RCW 35.61.050(2).

8 (3) "Separately elected board of park commissioners" means a board
9 of park commissioners of a metropolitan park district that is composed
10 of five separately elected commissioners as provided under RCW
11 35.61.050(1) and 35.61.120(1).

12 (4) "Land or lands" refers to land, water, or air, or any of the
13 rights therein or improvements thereon.

14 (5) "Parks and recreation facilities" includes parks, gymnasiums,
15 playgrounds, swimming pools, field houses, beach houses, stadiums, golf
16 courses, coliseums, sports facilities, zoos, aquariums, civic
17 facilities, cultural facilities, theaters, interpretive facilities,
18 museums, public campgrounds, natural areas, boat ramps, marinas, senior
19 citizen centers, community centers, arboretums, bicycle and bridle
20 paths, parkways, boulevards, and other parks and recreation facilities,
21 including related administrative and support facilities.

22 **Sec. 3.** RCW 35.61.020 and 1965 c 7 s 35.61.020 are each amended to
23 read as follows:

24 (1) A ballot proposition authorizing the creation of a metropolitan
25 park district shall be submitted by ordinance to the voters of a city
26 with a population of at least five thousand at any general election, or
27 at any special election which may be called for that purpose, ((or at
28 any city election held in the city in all of the various voting
29 precincts thereof, the city council or commission may,)) if the
30 legislative authority of the city enacts such an ordinance after
31 adopting a resolution proposing creation of a metropolitan park
32 district or ((or)) if a petition ((of)) proposing creation of a
33 metropolitan park district is submitted to the county auditor that has
34 been signed by at least fifteen percent of the ((qualified electors of
35 the)) registered voters residing in the city ((based upon the
36 registration for the last preceding general city election, shall by
37 ordinance, submit to the voters of the city the proposition of creating
38 a metropolitan park district, the limits of which shall be)).

1 (2) If city voters approve the ballot proposition by a simple
2 majority vote, a metropolitan park district shall be created that is
3 coextensive with the limits of the city as now or hereafter
4 established, inclusive of territory annexed to and forming a part of
5 the city.

6 (3) Territory by virtue of its annexation to any city having
7 heretofore created a park district shall be deemed to be ((within the
8 limits of)) annexed to the metropolitan park district.

9 ~~((The city council or commission shall submit the proposition at a~~
10 ~~special election to be called therefor when the petition so requests.))~~

11 **Sec. 4.** RCW 35.61.030 and 1985 c 469 s 32 are each amended to read
12 as follows:

13 (1) In submitting the question to the voters for their approval or
14 rejection, the city council or commission shall pass an ordinance
15 declaring its intention to submit the proposition of creating a
16 metropolitan park district to the qualified voters of the city. The
17 ordinance shall be published once a week for two consecutive weeks in
18 the official newspaper of the city((, and the city council or
19 commission shall cause to be placed upon the ballot for the election,
20 at the proper place, the)). The proposition shall appear on the ballot
21 of the next general municipal election unless the city legislative
22 authority by ordinance submits it at an earlier special election.

23 (2) The legislative authority of a city placing on the ballot a
24 proposition ((which)) authorizing the creation of a metropolitan park
25 district shall ((be expressed in)), in the ordinance submitting the
26 question to the voters, choose and describe the composition of the
27 initial metropolitan park district commission that is proposed under
28 RCW 35.61.050. The proposition shall include the following terms:

29 l "For the formation of a metropolitan park district."

30 l "Against the formation of a metropolitan park district."

31 **Sec. 5.** RCW 35.61.050 and 1994 c 223 s 23 are each amended to read
32 as follows:

33 (1) Except as provided under subsection (2) of this section, five
34 park commissioners shall be elected at large as the metropolitan
35 members of the board of park commissioners for the metropolitan park
36 district at the same election at which the ballot proposition is
37 submitted to the voters as to whether a metropolitan park district is

1 to be formed(~~(, five park commissioners shall be elected)~~). The
2 election of metropolitan park commissioners shall be null and void if
3 the metropolitan park district is not created. Candidates shall run
4 for specific commission positions. (~~(No)~~) A primary shall not be held
5 to nominate candidates. The person receiving the greatest number of
6 votes for each position shall be elected as a metropolitan park
7 commissioner. The staggering of the terms of office shall occur as
8 follows: (~~(+1)~~) (a) The two persons who are elected receiving the two
9 greatest numbers of votes shall be elected to six-year terms of office
10 if the election is held in an odd-numbered year or five-year terms of
11 office if the election is held in an even-numbered year; (~~(+2)~~) (b)
12 the two persons who are elected receiving the next two greatest numbers
13 of votes shall be elected to four-year terms of office if the election
14 is held in an odd-numbered year or three-year terms of office if the
15 election is held in an even-numbered year; and (~~(+3)~~) (c) the other
16 person who is elected shall be elected to a two-year term of office if
17 the election is held in an odd-numbered year or a one-year term of
18 office if the election is held in an even-numbered year.

19 The initial metropolitan park commissioners shall take office
20 immediately when they are elected and qualified, and for purposes of
21 computing their terms of office the terms shall be assumed to commence
22 on the first day of January in the year after they are elected.
23 Thereafter, all commissioners shall be elected to six-year terms of
24 office at general elections held in odd-numbered years.

25 All commissioners shall serve until their respective successors are
26 elected and qualified and assume office in accordance with RCW
27 29.04.170. Vacancies shall occur and shall be filled as provided in
28 chapter 42.12 RCW.

29 (2) The ballot proposition creating a new metropolitan park
30 district that only consists of a city with a population of five hundred
31 thousand or more may provide for the city's legislative authority
32 (including the elected mayor, if any, acting in the mayor's ordinary
33 legislative capacity) to act in an ex officio and independent capacity
34 as the board of commissioners for the metropolitan park district. An
35 election shall not be held to elect the initial metropolitan park
36 district commissioners if such an option is taken.

37 **Sec. 6.** RCW 35.61.120 and 1965 c 7 s 35.61.120 are each amended to
38 read as follows:

1 (1) The officers of a metropolitan park district shall be a board
2 of park commissioners consisting of five members unless the board is
3 composed as permitted under RCW 35.61.050(2). The board shall annually
4 elect one of their number as president and another of their number as
5 clerk of the board. The composition of a board under this subsection
6 that was created before January 1, 1999, may not be altered once the
7 metropolitan park district has been created.

8 (2) The composition of a board of metropolitan park district
9 commissioners established as permitted under RCW 35.61.050(2) may be
10 altered to a separately elected board of park commissioners once the
11 metropolitan park district has been created only by a majority vote of
12 the voters in the district, and then only if the potential for such an
13 alteration was stated in the resolution or petition to create the
14 district.

15 **Sec. 7.** RCW 35.61.130 and 1969 c 54 s 1 are each amended to read
16 as follows:

17 (1) A metropolitan park district has the right of eminent domain,
18 and may purchase, acquire and condemn lands lying within or without the
19 boundaries of ~~((said))~~ the park district, for public parks~~((, parkways,~~
20 ~~boulevards, aviation landings and playgrounds,))~~ and recreation
21 facilities. A metropolitan park district may condemn such lands for
22 any of the following purposes: (a) To widen, alter, and extend
23 streets~~((,))~~ and avenues~~((, boulevards, parkways, aviation landings and~~
24 ~~playgrounds,))~~; (b) to alter, enlarge, and extend existing parks~~((,))~~
25 and recreation facilities; and (c) to acquire lands for the
26 establishment of new parks~~((, boulevards, parkways, aviation landings~~
27 ~~and playgrounds))~~ and recreation facilities.

28 (2) The right of eminent domain shall be exercised and instituted
29 pursuant to resolution of the board of metropolitan park commissioners
30 and conducted in the same manner and under the same procedure as is or
31 may be provided by law for the exercise of the power of eminent domain
32 by ~~((incorporated))~~ cities ~~((and towns))~~ of the state of Washington in
33 the acquisition of property rights~~((: PROVIDED,))~~. However, funds to
34 pay for condemnation allowed by this section shall be raised only as
35 specified in this chapter.

36 (3) The board of metropolitan park commissioners ~~((shall have power~~
37 ~~to))~~ may employ counsel~~((,))~~ and ~~((to))~~ regulate, manage, and control
38 the parks~~((, parkways, boulevards, streets, avenues, aviation landings~~

1 ~~and playgrounds)) and recreation facilities~~ under its control(~~(, and~~
2 ~~to)).~~

3 (4) The board of metropolitan park commissioners may provide for
4 park ((~~policemen~~) police, for a secretary of the board of metropolitan
5 park commissioners, and for all necessary employees, ((~~to~~)) and fix
6 their salaries and duties. In a metropolitan park district governed
7 under RCW 35.61.050(2), the city's mayor shall serve ex officio as the
8 chief executive officer of the metropolitan park district unless
9 otherwise provided by the board of metropolitan park district
10 commissioners.

11 (5) The board of metropolitan park commissioners ((~~shall have power~~
12 to)) may improve, acquire, extend and maintain, open, and lay out((~~7~~))
13 parks((~~, parkways, boulevards,~~)) and recreation facilities and avenues,
14 ((~~aviation landings and playgrounds,~~)) within or without the
15 metropolitan park district((~~, and to~~)).

16 (6) The board of metropolitan park commissioners may authorize,
17 conduct, and manage the letting of boats, or other amusement apparatus,
18 the operation of bath houses, the purchase and sale of foodstuffs or
19 other merchandise, the giving of vocal or instrumental concerts or
20 other entertainments, ((~~the establishment and maintenance of aviation~~
21 landings and playgrounds,)) and the provision, establishment,
22 operation, maintenance, and improvement of recreational facilities all
23 on property owned by itself or others.

24 (7) The board of metropolitan park commissioners may provide
25 generally for the management and conduct of such forms of recreation or
26 business as it shall judge desirable or beneficial for the public, or
27 for the production of revenue for expenditure for parks and recreation
28 purposes((~~7 and~~)).

29 (8) The board of metropolitan park commissioners may pay out moneys
30 for: (a) The maintenance and improvement of any such parks((~~7~~
31 parkways, boulevards,)) and recreation facilities and avenues((~~7~~
32 aviation landings and playgrounds)) as now exist, or the right to which
33 may hereafter be acquired, within or without the limits of ((~~said city~~
34 and for)) the metropolitan park district; (b) the purchase of lands
35 within or without the limits of ((~~said city~~)) the metropolitan park
36 district, whenever it deems the purchase to be for the benefit of the
37 public and for the interest of the metropolitan park district, and for
38 the maintenance and improvement thereof; and ((~~for~~)) (c) all expenses
39 incidental to its duties((~~: PROVIDED, That~~)). However, all parks((~~7~~

1 boulevards, parkways, aviation landings and playgrounds)) and
2 recreation facilities shall be subject to the police regulations of the
3 city or county within whose limits they lie.

4 (9) The board of metropolitan park commissioners may, if and to the
5 extent provided by section 13 of this act, contract with any entity,
6 public or private, including the city whose voters created the
7 district, for all or any part of its staffing, operations, and
8 services.

9 **Sec. 8.** RCW 35.61.150 and 1998 c 121 s 1 are each amended to read
10 as follows:

11 (1) Except as provided in subsection (2) of this section,
12 metropolitan park commissioners shall perform their duties and may
13 provide, by resolution passed by the commissioners, for the payment of
14 compensation to each of its commissioners at a rate of up to seventy
15 dollars for each day or portion of a day devoted to the business of the
16 district. However, the compensation for each commissioner must not
17 exceed six thousand seven hundred twenty dollars per year. Any
18 commissioner may waive all or any portion of his or her compensation
19 payable under this subsection as to any month or months during his or
20 her term of office, by a written waiver filed with the clerk of the
21 board. The waiver, to be effective, must be filed any time after the
22 commissioner's election and prior to the date on which the compensation
23 would otherwise be paid. The waiver shall specify the month or period
24 of months for which it is made.

25 (2) Metropolitan park commissioners who serve in an ex officio
26 capacity shall perform their duties as park commissioners without
27 additional compensation.

28 **Sec. 9.** RCW 35.61.180 and 1987 c 203 s 1 are each amended to read
29 as follows:

30 The treasurer of a metropolitan park district shall be as follows:

31 (1) The county treasurer of the county within which all, or the
32 major portion, of the district lies shall be the ex officio treasurer
33 of a metropolitan park district(~~(, but)~~) with a separately elected
34 board of metropolitan park commissioners. The county treasurer when
35 acting as the treasurer of a metropolitan park district shall receive
36 no compensation other than his or her regular salary for (~~receiving~~

1 ~~and disbursing the funds of a))~~ acting as the treasurer of the
2 metropolitan park district.

3 (2) The treasurer of a metropolitan park district with an ex
4 officio board of park commissioners established under RCW 35.61.120(2)
5 shall be the city treasurer. The city treasurer shall possess and may
6 exercise all powers relating to the metropolitan park district that are
7 possessed by the county treasurer, other than the authority to collect
8 property taxes. The city treasurer, when acting as the treasurer of a
9 metropolitan park district, shall receive no compensation other than
10 his or her regular salary for acting as the treasurer of the
11 metropolitan park district.

12 (3) Notwithstanding the provisions of subsections (1) and (2) of
13 this section, a metropolitan park district may designate someone other
14 than the county treasurer, or someone other than the city treasurer,
15 who has experience in financial or fiscal affairs to act as the
16 district treasurer if the board has received the approval of the county
17 treasurer or city treasurer to designate this person. If the board of
18 metropolitan park commissioners designates someone other than the
19 county treasurer or city treasurer to act as the district treasurer,
20 the board shall purchase a bond from a surety company operating in the
21 state that is sufficient to protect the district from loss. A district
22 treasurer so designated shall possess all powers relating to the
23 metropolitan park district that are possessed by the city treasurer or
24 the county treasurer, other than the authority to collect property
25 taxes.

26 (4) Notwithstanding RCW 35.61.210, general taxes of the
27 metropolitan park district shall be distributed to the treasurer of the
28 metropolitan park district by the county treasurer as is done for
29 cities.

30 **Sec. 10.** RCW 35.61.200 and 1983 c 167 s 56 are each amended to
31 read as follows:

32 Any coupons for the payment of interest on metropolitan park
33 district bonds shall be considered for all purposes as warrants drawn
34 upon the metropolitan park district fund against which the bonds were
35 issued, and when presented after maturity to the treasurer of the
36 ~~((county having custody of the fund))~~ metropolitan park district. If
37 there are no funds in the treasury to pay the coupons, the ~~((county))~~
38 metropolitan park district treasurer shall endorse ~~((said))~~ the coupons

1 as presented for payment, in the same manner as county warrants are
2 endorsed, and thereafter the coupon shall bear interest at the same
3 rate as the bond to which it was attached. If there are no funds in
4 the treasury to make payment on a bond not having coupons, the interest
5 payment shall continue bearing interest at the bond rate until it is
6 paid, unless otherwise provided in the proceedings authorizing the sale
7 of the bonds.

8 **Sec. 11.** RCW 35.61.250 and 1985 c 416 s 4 are each amended to read
9 as follows:

10 (1) The territory adjoining a metropolitan park district with a
11 separately elected board of park commissioners may be annexed to and
12 become a part (~~((thereof upon))~~) of the metropolitan park district under
13 a petition and ((an)) election ((held pursuant thereto)) method of
14 annexation. The petition shall define the territory proposed to be
15 annexed and must be signed by twenty-five registered voters, resident
16 within the territory proposed to be annexed, unless the territory is
17 within the limits of another city when it must be signed by twenty
18 percent of the registered voters residing within the territory proposed
19 to be annexed. The petition must be addressed to the board of park
20 commissioners requesting that the question be submitted to the legal
21 voters of the territory proposed to be annexed, whether they will be
22 annexed and become a part of the metropolitan park district.

23 (2) A metropolitan park district with an ex officio board of park
24 commissioners as provided under RCW 35.61.050(2) may not annex
25 territory under the provisions of RCW 35.61.250 through 35.61.280 and
26 shall maintain boundaries identical with those of the city in which it
27 is located, including any territory annexed by the city.

28 **Sec. 12.** RCW 35.61.290 and 1985 c 416 s 5 are each amended to read
29 as follows:

30 (1) Any city within or comprising any metropolitan park district
31 may turn over to the park district any lands, facilities, equipment, or
32 interests in any lands, facilities, or equipment which it may own, or
33 any street, avenue, or public place within the city for (~~((playground,))~~)
34 parks ((or parkway)) and recreation purposes, and thereafter its
35 control and management shall vest in the board of metropolitan park
36 commissioners((: PROVIDED, That)). However, the police regulations of

1 ((such)) the city, or the county should the premises be outside the
2 city limits, shall apply to all such premises.

3 (2) At any time that any such metropolitan park district is unable,
4 through lack of sufficient funds, to provide for the continuous
5 operation, maintenance, and improvement of the parks and
6 ((playgrounds)) recreation facilities and other properties or
7 facilities owned by it or under its control, and the legislative body
8 of any city within or comprising such metropolitan park district shall
9 determine that an emergency exists requiring the financial aid of such
10 city to be extended in order to provide for such continuous operation,
11 maintenance, and/or improvement of parks(~~(, playgrounds))~~ and
12 recreation facilities, other properties, and programs of such park
13 district within its limits, ((such)) the city may grant or loan to
14 ((such)) the metropolitan park district such of its available funds, or
15 such funds which it may lawfully procure and make available, as it
16 shall find necessary to provide for such continuous operation and
17 maintenance and, pursuant thereto, any ((such)) city and the board of
18 park commissioners of ((such)) the metropolitan park district are
19 authorized and empowered to enter into an agreement embodying such
20 terms and conditions of any such grant or loan as may be mutually
21 agreed upon.

22 (3) The board of metropolitan park commissioners may accept public
23 streets of the city and grounds for public purposes when donated for
24 parks(~~(, playground, boulevard))~~ and recreation purposes and park
25 purposes.

26 ((+2)) (4) Counties may turn over to ((the)) a metropolitan park
27 district any park and recreation lands and parks and recreation
28 facilities and equipment or interests in any lands, facilities, or
29 equipment that they own, and the board of metropolitan park
30 commissioners may accept such lands and equipment or interests in any
31 lands, facilities, or equipment.

32 NEW SECTION. Sec. 13. A new section is added to chapter 35.61 RCW
33 to read as follows:

34 A metropolitan park district governed under RCW 35.61.050(2) may
35 contract with a nonprofit corporation or other public or private
36 organization, including the city whose voters created the district, to
37 manage or carry out any of its operations. The private or other public
38 organization may manage and supervise employees of the metropolitan

1 park district and may hire, fire, and otherwise discipline those
2 employees. A civil service established under RCW 35.61.140 may include
3 such management and supervision by persons not employed by the
4 metropolitan park district.

5 NEW SECTION. **Sec. 14.** A new section is added to chapter 35.61 RCW
6 to read as follows:

7 (1) Notwithstanding any provisions to the contrary contained in a
8 city charter, and to the extent provided by the city under an
9 appropriate legislative enactment, some or all employees of a
10 metropolitan park district with an ex officio board of park
11 commissioners may be included in the retirement plan of a city that
12 shares territory with the metropolitan park district. The city and
13 metropolitan park district are each authorized to pay the parts of the
14 expense of operating and maintaining the retirement system and to
15 contribute to the retirement fund on behalf of employees those sums as
16 may be agreed upon between the legislative authorities of the city and
17 the metropolitan park district.

18 (2) In a metropolitan park district with an ex officio board of
19 park commissioners, neither the chief executive officer nor officers
20 chiefly responsible for operating a facility or program, as designated
21 by the board of metropolitan park commissioners, shall be members of
22 the civil service that may be established under RCW 35.61.140.

23 **Sec. 15.** RCW 84.52.010 and 1995 2nd sp.s. c 13 s 4 are each
24 amended to read as follows:

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

27 The rate percent of all taxes for state and county purposes, and
28 purposes of taxing districts coextensive with the county, shall be
29 determined, calculated and fixed by the county assessors of the
30 respective counties, within the limitations provided by law, upon the
31 assessed valuation of the property of the county, as shown by the
32 completed tax rolls of the county, and the rate percent of all taxes
33 levied for purposes of taxing districts within any county shall be
34 determined, calculated and fixed by the county assessors of the
35 respective counties, within the limitations provided by law, upon the
36 assessed valuation of the property of the taxing districts
37 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
22 metropolitan park district governed under RCW 35.61.050(2) still
23 exceeds one percent of the true and fair value of any property, then
24 the remaining levy for that metropolitan park district shall be reduced
25 until the combined rate no longer exceeds one percent or shall be
26 eliminated; (c) if the combined rate of regular property tax levies
27 that are subject to the one percent limitation still exceeds one
28 percent of the true and fair value of any property, then the levies
29 imposed under RCW 84.34.230, 84.52.105, and any portion of the levy
30 imposed under RCW 84.52.069 that is in excess of thirty cents per
31 thousand dollars of assessed value, shall be reduced on a pro rata
32 basis until the combined rate no longer exceeds one percent of the true
33 and fair value of any property or shall be eliminated; and ((+e)) (d)
34 if the combined rate of regular property tax levies that are subject to
35 the one percent limitation still exceeds one percent of the true and
36 fair value of any property, then the thirty cents per thousand dollars
37 of assessed value of tax levy imposed under RCW 84.52.069 shall be
38 reduced until the combined rate no longer exceeds one percent of the
39 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.

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