
SUBSTITUTE SENATE BILL 6566

State of Washington

56th Legislature

2000 Regular Session

By Senate Committee on State & Local Government (originally sponsored by Senators Kohl-Welles, Long, Swecker, Kline, Hale, Costa, Thibaudeau, Prentice, Spanel, Gardner, Bauer, Shin, Jacobsen, B. Sheldon, Patterson, McAuliffe and Winsley)

Read first time 02/04/2000.

1 AN ACT Relating to local parks and recreation; amending RCW
2 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.** (1) For the purpose of acquisition,
5 construction, remodeling, equipping, repairing, maintaining, and
6 operating a public zoo, aquarium, parks, and open space, the
7 legislative authority of a city with a population of over one hundred
8 fifty thousand that is not in a metropolitan park district may, subject
9 to section 2 of this act, levy an annual regular property tax not
10 exceeding fifty cents per thousand dollars of assessed valuation in the
11 city.

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

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

16 NEW SECTION. **Sec. 2.** A city shall have no authority to levy taxes
17 under section 1 of this act until that power is activated by vote of
18 the city's voters at a regular election or a special election called

1 for that purpose. The ballot proposition whether to activate the
2 city's regular taxing power under this act shall propose an initial
3 regular tax rate or amount and may also propose a maximum regular tax
4 rate or amount. If the voters approve a regular tax rate or amount,
5 that approval shall serve as the voter approval required by Initiative
6 Measure No. 695 for all increases in general regular taxes under this
7 act up to that approved tax rate or amount.

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

14 NEW SECTION. **Sec. 4.** (1) If the legislative authority of a city
15 whose voters have authorized taxes under section 1 of this act
16 contracts with one or more nonprofit corporations or other public
17 organizations for the overall management and operation of a zoo, an
18 aquarium, or both, that contract shall be subject to this section. No
19 such contract for the overall management and operation of zoo or
20 aquarium facilities by a nonprofit corporation or other public
21 organization shall have an initial term or any renewal term longer than
22 thirty years, but may be renewed by the legislative authority of the
23 city upon the expiration of an initial term or any renewal term.

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

1 upon request from and after the date of publication of the hearing
2 notice and at the hearing, but after the public hearing the city
3 legislative authority may amend the proposed terms and conditions at
4 open public meetings.

5 (3) As part of the management and operation contract, the
6 legislative authority of the city may authorize the managing and
7 operating entity to grant to any nonprofit corporation or public or
8 private organization franchises or concessions that further the public
9 use and enjoyment of the zoo or aquarium, as the case may be, and may
10 authorize the managing and operating entity to contract with any public
11 or private organization for any specific services as are routinely so
12 procured by the city.

13 (4) Notwithstanding any provision in the charter of the city so
14 contracting for the overall management and operation of a zoo or an
15 aquarium, or any other provision of law, the nonprofit corporation or
16 other public organization with responsibility for overall management or
17 operation of any such facilities pursuant to a contract under this
18 section may, in carrying out that responsibility under such contract,
19 manage, supervise, and control those employees of the city employed in
20 connection with the zoo or aquarium and may hire, fire, and otherwise
21 discipline those employees. Notwithstanding any provision in the
22 charter of the city so contracting for the overall management and
23 operation of a zoo or an aquarium, or any other provision of law, the
24 civil service system of any such city shall provide for the nonprofit
25 corporation or other public organization to manage, supervise, control,
26 hire, fire, and otherwise discipline those employees of the city
27 employed in connection with the zoo or aquarium.

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

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

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

35 The rate percent of all taxes for state and county purposes, and
36 purposes of taxing districts coextensive with the county, shall be
37 determined, calculated and fixed by the county assessors of the

1 respective counties, within the limitations provided by law, upon the
2 assessed valuation of the property of the county, as shown by the
3 completed tax rolls of the county, and the rate percent of all taxes
4 levied for purposes of taxing districts within any county shall be
5 determined, calculated and fixed by the county assessors of the
6 respective counties, within the limitations provided by law, upon the
7 assessed valuation of the property of the taxing districts
8 respectively.

9 When a county assessor finds that the aggregate rate of tax levy on
10 any property, that is subject to the limitations set forth in RCW
11 84.52.043 or 84.52.050, exceeds the limitations provided in either of
12 these sections, the assessor shall recompute and establish a
13 consolidated levy in the following manner:

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

1 true and fair value of any property or shall be eliminated; and ~~((e))~~
2 (d) if the combined rate of regular property tax levies that are
3 subject to the one percent limitation still exceeds one percent of the
4 true and fair value of any property, then the thirty cents per thousand
5 dollars of assessed value of tax levy imposed under RCW 84.52.069 shall
6 be reduced until the combined rate no longer exceeds one percent of the
7 true and fair value of any property or eliminated.

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

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

15 (b) Second, if the consolidated tax levy rate still exceeds these
16 limitations, the certified property tax levy rates of those junior
17 taxing districts authorized under RCW 36.68.525, 36.69.145, and
18 67.38.130 shall be reduced on a pro rata basis or eliminated;

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

23 ~~((c) Third))~~ (d) Fourth, if the consolidated tax levy rate still
24 exceeds these limitations, the certified property tax levy rates of all
25 other junior taxing districts, other than fire protection districts,
26 library districts, the first fifty cent per thousand dollars of
27 assessed valuation levies for metropolitan park districts, and the
28 first fifty cent per thousand dollars of assessed valuation levies for
29 public hospital districts, shall be reduced on a pro rata basis or
30 eliminated;

31 ~~((d) Fourth))~~ (e) Fifth, if the consolidated tax levy rate still
32 exceeds these limitations, the certified property tax levy rates
33 authorized to fire protection districts under RCW 52.16.140 and
34 52.16.160 shall be reduced on a pro rata basis or eliminated; and

35 ~~((e) Fifth))~~ (f) Sixth, if the consolidated tax levy rate still
36 exceeds these limitations, the certified property tax levy rates
37 authorized for fire protection districts under RCW 52.16.130, library
38 districts, metropolitan park districts under their first fifty cent per
39 thousand dollars of assessed valuation levy, and public hospital

1 districts under their first fifty cent per thousand dollars of assessed
2 valuation levy, shall be reduced on a pro rata basis or eliminated.

3 In determining whether the aggregate rate of tax levy on any
4 property, that is subject to the limitations set forth in RCW
5 84.52.050, exceeds the limitations provided in that section, the
6 assessor shall use the hypothetical state levy, as apportioned to the
7 county under RCW 84.48.080, that was computed under RCW 84.48.080
8 without regard to the reduction under RCW 84.55.012.

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

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