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HOUSE BILL 1102

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State of Washington                      53rd Legislature                      1993 Regular Session

By Representatives Bray, H. Myers and Rayburn

Read first time 01/15/93. Referred to Committee on Local Government.

1            AN ACT Relating to government borrowing; amending RCW 14.08.112,  
2 14.08.114, 35.24.305, 35.41.030, 35.41.080, 35.58.450, 35.58.460,  
3 35.58.470, 35.59.070, 35.67.120, 35.67.190, 35.81.100, 35.82.130,  
4 35.89.010, 35.89.030, 35.92.100, 35.92.110, 35.92.150, 35.97.100,  
5 35A.40.080, 36.58.150, 36.60.060, 36.67.510, 36.67.520, 36.69.350,  
6 36.69.360, 36.69.450, 36.83.040, 36.83.050, 36.89.100, 36.94.200,  
7 39.46.150, 39.46.160, 39.50.030, 39.53.020, 39.84.100, 43.52.3411,  
8 53.34.030, 53.40.010, 53.40.130, 54.16.070, 54.24.018, 54.24.030,  
9 54.24.040, 54.24.090, 56.16.020, 56.16.115, 57.16.030, 57.16.040,  
10 57.20.020, 57.20.025, 67.28.160, 67.38.120, 70.44.060, 70.95A.040,  
11 86.09.592, 86.15.178, 87.28.010, 87.28.103, 87.28.150, and 89.30.427;  
12 adding a new section to chapter 39.46 RCW; creating new sections; and  
13 repealing RCW 14.08.118, 35.41.010, 35.41.050, 35.41.060, 35.41.070,  
14 35.41.090, 35.67.130, 35.67.140, 35.67.150, 35.67.160, 35.67.170,  
15 35.67.180, 35.82.140, 35.82.150, 35.89.020, 35.89.040, 35.89.080,  
16 35.92.120, 35.97.110, 35.97.120, 35.97.130, 36.67.500, 36.67.530,  
17 36.67.540, 36.67.550, 36.67.560, 36.67.570, 36.69.370, 36.69.380,  
18 36.69.390, 36.69.400, 36.69.410, 36.83.060, 36.83.070, 39.44.070,  
19 39.44.140, 39.48.020, 53.34.040, 53.34.050, 53.34.070, 53.34.080,  
20 53.34.140, 53.40.020, 53.40.030, 53.40.040, 53.40.050, 53.40.110,  
21 53.40.120, 53.40.135, 53.40.140, 53.40.150, 54.24.050, 54.24.060,

1 54.24.080, 54.24.100, 56.16.060, 56.16.065, 56.16.070, 56.16.080,  
2 56.16.085, 56.16.130, 57.20.023, 57.20.027, 86.09.595, 86.09.598,  
3 86.09.616, 87.28.015, 87.28.020, 87.28.030, 87.28.035, 87.28.040,  
4 87.28.070, 87.28.100, 87.28.108, 87.28.110, 89.30.430, and 89.30.433.

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

6 NEW SECTION. **Sec. 1.** The purpose of this act is to provide a  
7 common set of flexible statutes as the exclusive laws controlling the  
8 issuance and sale of revenue bonds by local governments.

9 Prior to 1986, each type of local government authorized to issue  
10 revenue bonds had its own set of statutes controlling the issuance and  
11 sale of revenue bonds. The language in these statutes contains  
12 differing requirements.

13 Legislation was enacted in 1986 providing new flexible statutes for  
14 local governments to issue and sell revenue bonds as an alternative to  
15 their other statutes.

16 This act provides for the second phase of reforming the procedures  
17 by which local governments issue and sell revenue bonds by altering the  
18 1986 statutes to become the exclusive procedure by which local  
19 governments issue and sell revenue bonds. The conflicting separate  
20 procedures provided for different local governments to issue and sell  
21 revenue bonds are deleted or repealed.

22 **Sec. 2.** RCW 14.08.112 and 1983 c 167 s 16 are each amended to read  
23 as follows:

24 ((~~1~~)) Municipalities, including any governmental subdivision  
25 which may be hereafter authorized by law to own, control and operate an  
26 airport or other air navigation facility, are hereby authorized to  
27 issue revenue bonds and revenue warrants to provide part or all of the  
28 ((~~funds~~)) moneys required to accomplish the powers granted them by  
29 chapter 14.08 RCW, and to construct, acquire by purchase or  
30 condemnation, equip, add to, extend, enlarge, improve, replace and  
31 repair airports, facilities and structures thereon including but not  
32 being limited to facilities for the servicing of aircraft and for the  
33 comfort and accommodation of air travelers, and other properties  
34 incidental to the operation of airports and to pay all costs incidental  
35 thereto.

1       The legislative body of the municipality may finance the costs of  
2 the airports, facilities, and structures by issuing revenue bonds and  
3 revenue warrants and shall create a special fund for the sole purpose  
4 of paying the principal of and interest on the bonds of each issue((  
5 into which fund the legislative body shall obligate the municipality to  
6 pay an amount of the gross)). The special fund or funds from which  
7 revenue bonds and revenue warrants are payable shall be created, and  
8 the revenue bonds and revenue warrants shall be issued and sold, in  
9 accordance with chapter 39.46 RCW. Revenues that may be pledged as  
10 security for the revenue bonds or revenue warrants, and which are  
11 placed into the special fund or funds created to redeem the revenue  
12 bonds or revenue warrants, include those revenues derived from its  
13 ownership, control, use, and operation of the airport and all airport  
14 facilities and structures thereon and used and operated in connection  
15 therewith, including but not being limited to fees charged for all uses  
16 of the airport and facilities, rentals derived from leases of part or  
17 all of the airport, buildings and any or all air navigation facilities  
18 thereon, fees derived from concessions granted, and proceeds of sales  
19 of part or all of the airport and any or all buildings and structures  
20 thereon or equipment therefor((, sufficient to pay the principal and  
21 interest as the same shall become due, and to maintain adequate  
22 reserves therefor if necessary. Revenue bonds and the interest thereon  
23 shall be payable only out of and shall be a valid claim of the owner  
24 thereof only as against the special fund and the revenue pledged to it,  
25 and shall not constitute a general indebtedness of the municipality.

26       Each revenue bond and any interest coupon attached thereto shall  
27 name the fund from which it is payable and state upon its face that it  
28 is only payable therefrom; however, all revenue bonds and any interest  
29 coupons issued under RCW 14.08.112 and 14.08.114 shall be negotiable  
30 instruments within the provisions and intent of the negotiable  
31 instruments law of this state. Each issue of revenue bonds may be  
32 bearer coupon bonds or may be registered either as to principal only or  
33 as to principal and interest as provided in RCW 39.46.030; shall be in  
34 the denomination or denominations the legislative body of the  
35 municipality shall deem proper; shall be payable at the time or times  
36 and at the place or places as shall be determined by the legislative  
37 body; shall bear interest at such rate or rates as authorized by the  
38 legislative body; shall be signed on behalf of the municipality by the  
39 chairman of the county legislative authority, mayor of the city or

1 town, president of the port commission, and similar officer of any  
2 other municipality, shall be attested by the county auditor, the clerk  
3 or comptroller of the city or town, the secretary of the port  
4 commission, and similar officer of any other municipality, one of which  
5 signatures may be a facsimile signature, and shall have the seal of the  
6 municipality impressed thereon; any interest coupons attached thereto  
7 shall be signed by the facsimile signatures of said officials. Revenue  
8 bonds shall be sold in the manner as the legislative body of the  
9 municipality shall deem best, either at public or private sale.

10 The municipality at the time of the issuance of revenue bonds may  
11 provide covenants as it may deem necessary to secure and guarantee the  
12 payment of the principal thereof and interest thereon, including but  
13 not being limited to covenants to create a reserve fund or account and  
14 to authorize the payment or deposit of certain moneys therein for the  
15 purpose of securing or guaranteeing the payment of the principal and  
16 interest, to establish and maintain rates, charges, fees, rentals and  
17 sales prices sufficient to pay the principal and interest and to  
18 maintain an adequate coverage over annual debt service, to appoint a  
19 trustee for the bond owners and a trustee for the safeguarding and  
20 disbursing of the proceeds of sale of the bonds and to fix the powers  
21 and duties of the trustee or trustees, and to make any and all other  
22 covenants as the legislative body may deem necessary to its best  
23 interest and that of its inhabitants to accomplish the most  
24 advantageous sale possible of the bonds. The legislative body may also  
25 provide that revenue bonds payable out of the same source or sources  
26 may later be issued on a parity with revenue bonds being issued and  
27 sold.

28 The legislative body of the municipality may include an amount for  
29 working capital and an amount necessary for interest during the period  
30 of construction of the airport or any facilities plus six months, in  
31 the principal amount of any revenue bond issue; if it deems it to the  
32 best interest of the municipality and its inhabitants, it may provide  
33 in any contract for the construction or acquisition of an airport or  
34 facilities that payment therefor shall be made only in revenue bonds at  
35 the par value thereof.

36 If the municipality or any of its officers shall fail to carry out  
37 any of its or their obligations, pledges or covenants made in the  
38 authorization, issuance and sale of bonds, the owner of any bond or the

1 trustee may bring action against the municipality and/or said officers  
2 to compel the performance of any or all of the covenants.

3 (2) Notwithstanding subsection (1) of this section, such bonds may  
4 be issued and sold in accordance with chapter 39.46 RCW)).

5 **Sec. 3.** RCW 14.08.114 and 1983 c 167 s 17 are each amended to read  
6 as follows:

7 When any municipality has outstanding revenue bonds or revenue  
8 warrants payable solely from revenues derived from the ownership,  
9 control, use and operation of the airport and all its facilities and  
10 structures thereon used and operated in connection therewith, the  
11 legislative body thereof may provide for the issuance of funding or  
12 refunding revenue bonds to fund or refund outstanding revenue warrants  
13 or revenue bonds or any part thereof at or before maturity, and may  
14 combine various outstanding revenue warrants and various series and  
15 issues of outstanding revenue bonds in the amount thereof to be funded  
16 or refunded and may issue funding or refunding revenue bonds to pay any  
17 redemption premium and interest payable on the outstanding revenue  
18 warrants or revenue bonds being funded or refunded. The legislative  
19 body of the municipality shall create a special fund for the sole  
20 purpose of paying the principal of and interest on funding or refunding  
21 revenue bonds((, into which fund the legislative body shall obligate  
22 the municipality to pay an amount of the gross revenue derived from its  
23 ownership, control, use and operation of the airport and all airport  
24 facilities and structures thereon as provided in RCW 14.08.112,  
25 sufficient to pay the principal and interest as the same shall become  
26 due, and to maintain adequate reserves therefor if necessary. Bonds  
27 and the interest thereon shall be payable only out of and shall be a  
28 valid claim of the owner thereof only as against the special fund and  
29 the revenue pledged to it, and shall not constitute a general  
30 indebtedness of the municipality.

31 The net interest cost to maturity on funding or refunding bonds  
32 shall be at such rate or rates as shall be authorized by the  
33 legislative body)).

34 The municipality may exchange funding or refunding revenue bonds at  
35 par for the warrants or bonds which are being funded or refunded((,))  
36 or it may sell the funding or refunding revenue bonds ((in the manner  
37 as it shall deem for the best interest of the municipality and its  
38 inhabitants, either at public or private sale)). Funding or refunding

1 revenue bonds shall be governed by and issued under and in accordance  
2 with the provisions of RCW 14.08.112 with respect to revenue bonds  
3 unless there is a specific provision to the contrary in this section.

4 **Sec. 4.** RCW 35.24.305 and 1965 c 7 s 35.24.305 are each amended to  
5 read as follows:

6 All cities of the third class, regardless of their form of  
7 government, and all ~~((municipal corporations of the fourth class~~  
8 ~~(towns), are hereby))~~ towns are authorized to use parking meter revenue  
9 as a base for obtaining revenue bonds for use in improvement of  
10 streets, roads, alleys, and such other related public works. The  
11 special fund or funds from which revenue bonds are payable shall be  
12 created, and the revenue bonds shall be issued and sold, in accordance  
13 with chapter 39.46 RCW.

14 **Sec. 5.** RCW 35.41.030 and 1983 c 167 s 39 are each amended to read  
15 as follows:

16 If the legislative body of a city or town deems it advisable to  
17 purchase, lease, condemn, or otherwise acquire, construct, develop,  
18 improve, extend, or operate any land, building, facility, or utility,  
19 and adopts an ordinance authorizing such purchase, lease, condemnation,  
20 acquisition, construction, development, improvement and to provide  
21 ~~((funds))~~ moneys for defraying all or a portion of the cost thereof  
22 from the proceeds of the sale of revenue bonds and revenue warrants,  
23 and such ordinance has been ratified by the voters of the city or town  
24 in those instances where the original acquisition, construction, or  
25 development of such facility or utility is required to be ratified by  
26 the voters under the provisions of RCW 35.67.030 and 35.92.070, such  
27 city or town may issue revenue bonds and revenue warrants against the  
28 special fund or funds created solely from revenues. ~~((The revenue~~  
29 ~~bonds so issued shall:~~

30 ~~(1) Be registered bonds, as provided in RCW 39.46.030, or bearer~~  
31 ~~bonds;~~

32 ~~(2) Be issued in such denominations as determined by the~~  
33 ~~legislative body of the city or town;~~

34 ~~(3) Be numbered from one upwards consecutively;~~

35 ~~(4) Bear the date of their issue;~~

1       ~~(5) Be serial or term bonds and the final maturity thereof shall~~  
2 ~~not extend beyond the reasonable life expectancy of the facility or~~  
3 ~~utility;~~

4       ~~(6) Bear interest at such rate or rates as authorized by the~~  
5 ~~legislative body of the city or town, with interest coupons attached~~  
6 ~~unless such bonds are registered as to interest, in which no case no~~  
7 ~~interest coupons need be attached;~~

8       ~~(7) Be payable as to principal and interest at such place or time~~  
9 ~~as may be designated therein;~~

10       ~~(8) State upon their face that they are payable from a special~~  
11 ~~fund, naming it, and the ordinance creating it, and that they do not~~  
12 ~~constitute a general indebtedness of the city or town;~~

13       ~~(9) Be signed by the mayor and bear the seal of the city or town~~  
14 ~~and be attested by the clerk: PROVIDED, That the facsimile signatures~~  
15 ~~of the mayor and clerk may be used when the ordinance authorizing the~~  
16 ~~issuance of such bonds provides for the signatures thereof by an~~  
17 ~~authenticating officer; and~~

18       ~~(10) Be printed upon good bond paper: PROVIDED, That~~  
19 ~~notwithstanding the provisions of this section, such revenue bonds~~  
20 ~~may)). The special fund or funds from which revenue bonds are payable~~  
21 ~~shall be created, and the revenue bonds shall be issued and sold, in~~  
22 ~~accordance with chapter 39.46 RCW.~~

23       **Sec. 6.** RCW 35.41.080 and 1971 ex.s. c 223 s 3 are each amended to  
24 read as follows:

25       The legislative body of any city or town may provide by ordinance  
26 for revenues by fixing rates and charges for the furnishing of service,  
27 use, or benefits to those to whom service, use, or benefits from such  
28 facility or utility is available, which rates and charges shall be  
29 uniform for the same class of service. ~~((And, if revenue bonds or~~  
30 ~~warrants are issued against the revenues thereof, the legislative body~~  
31 ~~of the city or town shall fix charges at rates which will be~~  
32 ~~sufficient, together with any other moneys lawfully pledged therefor,~~  
33 ~~to provide for the payment of bonds and warrants, principal and~~  
34 ~~interest, sinking fund requirements and expenses incidental to the~~  
35 ~~issuance of such revenue bonds or warrants; in fixing such charges the~~  
36 ~~legislative body of the city or town may establish rates sufficient to~~  
37 ~~pay, in addition, the costs of operating and maintaining such facility~~  
38 ~~or utility.))~~

1       **Sec. 7.** RCW 35.58.450 and 1984 c 186 s 18 are each amended to read  
2 as follows:

3       Notwithstanding the limitations of chapter 39.36 RCW and any other  
4 statutory limitations otherwise applicable and limiting municipal debt,  
5 a metropolitan municipal corporation shall have the power to contract  
6 indebtedness and issue general obligation bonds and to pledge the full  
7 faith and credit of the corporation to the payment thereof, for any  
8 authorized capital purpose of the metropolitan municipal corporation,  
9 not to exceed an amount, together with any outstanding nonvoter  
10 approved general indebtedness, equal to three-fourths of one percent of  
11 the value of the taxable property within the metropolitan municipal  
12 corporation, as the term "value of the taxable property" is defined in  
13 RCW 39.36.015. A metropolitan municipal corporation may additionally  
14 contract indebtedness and issue general obligation bonds, for any  
15 authorized capital purpose of a metropolitan municipal corporation,  
16 together with any other outstanding general indebtedness, not to exceed  
17 an amount equal to five percent of the value of the taxable property  
18 within the corporation, as the term "value of the taxable property" is  
19 defined in RCW 39.36.015, when a proposition authorizing the  
20 indebtedness has been approved by three-fifths of the persons voting on  
21 said proposition at said election at which such election the total  
22 number of persons voting on such bond proposition shall constitute not  
23 less than forty percent of the total number of votes cast within the  
24 area of said metropolitan municipal corporation at the last preceding  
25 state general election. Such general obligation bonds may be  
26 authorized in any total amount in one or more propositions and the  
27 amount of such authorization may exceed the amount of bonds which could  
28 then lawfully be issued. Such bonds may be issued in one or more  
29 series from time to time out of such authorization. The elections  
30 shall be held pursuant to RCW 39.36.050.

31       Whenever the voters of a metropolitan municipal corporation have,  
32 pursuant to RCW 84.52.056, approved excess property tax levies to  
33 retire such bond issues, both the principal of and interest on such  
34 general obligation bonds may be made payable from annual tax levies to  
35 be made upon all the taxable property within the metropolitan municipal  
36 corporation in excess of the constitutional and/or statutory tax  
37 limit. The principal of and interest on any general obligation bond  
38 may be made payable from any other taxes or any special assessments  
39 which the metropolitan municipal corporation may be authorized to levy



1 or from any otherwise unpledged revenue which may be derived from the  
2 ownership or operation of properties or facilities incident to the  
3 performance of the authorized function for which such bonds are issued  
4 or may be made payable from any combination of the foregoing sources.  
5 (~~The metropolitan council may include in the principal amount of such~~  
6 ~~bond issue an amount for engineering, architectural, planning,~~  
7 ~~financial, legal, urban design and other services incident to~~  
8 ~~acquisition or construction solely for authorized capital purposes and~~  
9 ~~may include an amount to establish a guaranty fund for revenue bonds~~  
10 ~~issued solely for capital purposes.))~~

11 General obligation bonds shall be issued and sold by the  
12 metropolitan council as provided in chapter 39.46 RCW and shall mature  
13 in not to exceed forty years from the date of issue.

14 **Sec. 8.** RCW 35.58.460 and 1983 c 167 s 48 are each amended to read  
15 as follows:

16 (~~(1)~~) A metropolitan municipal corporation may issue revenue  
17 bonds to provide (~~funds~~) moneys to carry out its authorized  
18 metropolitan water pollution abatement, water supply, garbage disposal  
19 or transportation purposes, without submitting the matter to the voters  
20 of the metropolitan municipal corporation. The metropolitan council  
21 shall create a special fund or funds for the sole purpose of paying the  
22 principal of and interest on the bonds of each such issue(~~, into which~~  
23 ~~fund or funds the metropolitan council may obligate the metropolitan~~  
24 ~~municipal corporation to pay such amounts of the gross revenue of the~~  
25 ~~particular utility constructed, acquired, improved, added to, or~~  
26 ~~repaired out of the proceeds of sale of such bonds, as the metropolitan~~  
27 ~~council shall determine and may obligate the metropolitan municipal~~  
28 ~~corporation to pay such amounts out of otherwise unpledged revenue~~  
29 ~~which may be derived from the ownership, use or operation of properties~~  
30 ~~or facilities owned, used or operated incident to the performance of~~  
31 ~~the authorized function for which such bonds are issued or out of~~  
32 ~~otherwise unpledged fees, tolls, charges, tariffs, fares, rentals,~~  
33 ~~special taxes or other sources of payment lawfully authorized for such~~  
34 ~~purpose, as the metropolitan council shall determine. The principal~~  
35 ~~of, and interest on, such bonds shall be payable only out of such~~  
36 ~~special fund or funds, and the owners of such bonds shall have a lien~~  
37 ~~and charge against the gross revenue of such utility or any other~~

1 revenue, fees, tolls, charges, tariffs, fares, special taxes or other  
2 authorized sources pledged to the payment of such bonds.

3 Such revenue bonds and the interest thereon issued against such  
4 fund or funds shall be a valid claim of the owners thereof only as  
5 against such fund or funds and the revenue pledged therefor, and shall  
6 not constitute a general indebtedness of the metropolitan municipal  
7 corporation.

8 Each such revenue bond shall state upon its face that it is payable  
9 from such special fund or funds, and all revenue bonds issued under  
10 this chapter shall be negotiable securities within the provisions of  
11 the law of this state. Such revenue bonds may be registered either as  
12 to principal only or as to principal and interest as provided in RCW  
13 39.46.030, or may be bearer bonds; shall be in such denominations as  
14 the metropolitan council shall deem proper; shall be payable at such  
15 time or times and at such places as shall be determined by the  
16 metropolitan council; shall bear interest at such rate or rates as  
17 shall be determined by the metropolitan council; shall be signed by the  
18 chairman and attested by the secretary of the metropolitan council, one  
19 of which signatures may be a facsimile signature, and the seal of the  
20 metropolitan municipal corporation shall be impressed or imprinted  
21 thereon; any attached interest coupons shall be signed by the facsimile  
22 signatures of said officials.

23 Such revenue bonds shall be sold in such manner, at such price and  
24 at such rate or rates of interest as the metropolitan council shall  
25 deem to be for the best interests of the metropolitan municipal  
26 corporation, either at public or private sale.

27 The metropolitan council may at the time of the issuance of such  
28 revenue bonds make such covenants with the owners of said bonds as it  
29 may deem necessary to secure and guarantee the payment of the principal  
30 thereof and the interest thereon, including but not being limited to  
31 covenants to set aside adequate reserves to secure or guarantee the  
32 payment of such principal and interest, to maintain rates sufficient to  
33 pay such principal and interest and to maintain adequate coverage over  
34 debt service, to appoint a trustee or trustees for the bond owners to  
35 safeguard the expenditure of the proceeds of sale of such bonds and to  
36 fix the powers and duties of such trustee or trustees and to make such  
37 other covenants as the metropolitan council may deem necessary to  
38 accomplish the most advantageous sale of such bonds. The metropolitan  
39 council may also provide that revenue bonds payable out of the same

1 source may later be issued on a parity with revenue bonds being issued  
2 and sold.

3 The metropolitan council may include in the principal amount of any  
4 such revenue bond issue an amount to establish necessary reserves, an  
5 amount for working capital and an amount necessary for interest during  
6 the period of construction of any such metropolitan facilities plus six  
7 months. The metropolitan council may, if it deems it to the best  
8 interest of the metropolitan municipal corporation, provide in any  
9 contract for the construction or acquisition of any metropolitan  
10 facilities or additions or improvements thereto or replacements or  
11 extensions thereof that payment therefor shall be made only in such  
12 revenue bonds at the par value thereof.

13 If the metropolitan municipal corporation shall fail to carry out  
14 or perform any of its obligations or covenants made in the  
15 authorization, issuance and sale of such bonds, the owner of any such  
16 bond may bring action against the metropolitan municipal corporation  
17 and compel the performance of any or all of such covenants.

18 (2) Notwithstanding subsection (1) of this section, such bonds  
19 may)). The special fund or funds from which revenue bonds are payable  
20 shall be created, and the revenue bonds shall be issued and sold, in  
21 accordance with chapter 39.46 RCW.

22 **Sec. 9.** RCW 35.58.470 and 1970 ex.s. c 56 s 40 are each amended to  
23 read as follows:

24 The metropolitan council may, by resolution, without submitting the  
25 matter to the voters of the metropolitan municipal corporation, provide  
26 for the issuance of funding or refunding general obligation bonds to  
27 refund any outstanding general obligation bonds or any part thereof at  
28 maturity, or before maturity if they are by their terms or by other  
29 agreement subject to prior redemption, with the right in the  
30 metropolitan council to combine various series and issues of the  
31 outstanding bonds by a single issue of funding or refunding bonds, and  
32 to issue refunding bonds to pay any redemption premium payable on the  
33 outstanding bonds being refunded. The funding or refunding general  
34 obligation bonds shall, except as specifically provided in this  
35 section, be issued in accordance with the provisions of this chapter  
36 with respect to general obligation bonds.

37 The metropolitan council may, by resolution, without submitting the  
38 matter to the voters of the metropolitan municipal corporation, provide

1 for the issuance of funding or refunding revenue bonds to refund any  
2 outstanding revenue bonds or any part thereof at maturity, or before  
3 maturity if they are by their terms or by agreement subject to prior  
4 redemption, with the right in the metropolitan council to combine  
5 various series and issues of the outstanding bonds by a single issue of  
6 refunding revenue bonds, and to issue refunding revenue bonds to pay  
7 any redemption premium payable on the outstanding bonds being refunded.  
8 The funding or refunding revenue bonds shall be payable only out of a  
9 special fund or funds created out of the gross revenue of the  
10 particular utility(~~(, and shall be a valid claim only as against such~~  
11 ~~special fund and the amount of the revenue of the utility pledged to~~  
12 ~~the fund))~~). The special fund or funds from which funding or refunding  
13 revenue bonds are payable shall be created, and the funding or  
14 refunding revenue bonds shall, except as specifically provided in this  
15 section, be issued and sold, in accordance with the provisions of this  
16 chapter with respect to revenue bonds.

17 The metropolitan council may exchange the funding or refunding  
18 bonds at par for the bonds which are being funded or refunded, or it  
19 may sell them in such manner, at such price and at such rate or rates  
20 of interest as it deems for the best interest of the metropolitan  
21 municipal corporation.

22 **Sec. 10.** RCW 35.59.070 and 1983 c 167 s 50 are each amended to  
23 read as follows:

24 ~~((1) To carry out the purposes authorized by this chapter))~~ The  
25 legislative body of any municipality shall have the power to issue  
26 revenue bonds, and to create a special fund or funds for the sole  
27 purpose of paying the principal of and interest on such bonds ~~((into~~  
28 ~~which fund or funds the legislative body may obligate the municipality~~  
29 ~~to pay all or part of the))~~. Revenues derived from any one or more  
30 facilities or properties which will form part of the multi-purpose  
31 community center may be placed into the special fund or funds from  
32 which revenue bonds are payable. ~~((The provisions of chapter 35.41 RCW~~  
33 ~~not inconsistent with this chapter shall apply to the issuance and~~  
34 ~~retirement of any revenue bonds issued for the purposes authorized in~~  
35 ~~this chapter and for such purposes any municipality shall have and may~~  
36 ~~exercise the powers, duties, and functions incident thereto held by~~  
37 ~~cities and towns under such chapter 35.41 RCW. Such bonds may be in~~  
38 ~~any form, including bearer bonds or registered bonds as provided in RCW~~

1 39.46.030. — The legislative body of any municipality may fix the  
2 denominations of such bonds in any amount and the manner of executing  
3 such bonds, and may take such action as may be necessary and incidental  
4 to the issuance of such bonds and the retirement thereof.

5 ~~(2) Notwithstanding subsection (1) of this section, such bonds~~  
6 ~~may))~~ The special fund or funds from which revenue bonds are payable  
7 shall be created, and the revenue bonds shall be issued and sold, in  
8 accordance with chapter 39.46 RCW.

9 **Sec. 11.** RCW 35.67.120 and 1967 c 52 s 24 are each amended to read  
10 as follows:

11 After the city or town legislative body adopts a proposition for  
12 any such public utility, and either (1) no general indebtedness has  
13 been authorized, or (2) the city or town legislative body does not  
14 desire to incur a general indebtedness, and the legislative body can  
15 lawfully proceed without submitting the proposition to a vote of the  
16 people, it may ~~((create a special fund or funds))~~ issue revenue bonds  
17 for the sole purpose of defraying the cost of the proposed system, or  
18 additions, betterments or extensions thereto, and may create a special  
19 fund or funds from which revenue bonds are payable.

20 ~~((The city or town legislative body may obligate the city or town~~  
21 ~~to set aside and pay into this special fund: (1) A fixed proportion of~~  
22 ~~the gross revenues of the system, or (2) a fixed amount out of and not~~  
23 ~~exceeding a fixed proportion of the gross revenues, or (3) a fixed~~  
24 ~~amount without regard to any fixed proportion, and (4) amounts received~~  
25 ~~from any utility local improvement district assessments pledged to~~  
26 ~~secure such bonds.))~~ The special fund or funds from which revenue bonds  
27 are payable shall be created, and the revenue bonds shall be issued and  
28 sold, in accordance with chapter 39.46 RCW.

29 **Sec. 12.** RCW 35.67.190 and 1965 c 7 s 35.67.190 are each amended  
30 to read as follows:

31 The legislative body of such city or town may provide by ordinance  
32 for revenues by fixing rates and charges for the furnishing of service  
33 to those served by its system of sewerage or system for refuse  
34 collection and disposal, which rates and charges shall be uniform for  
35 the same class of customer or service. In classifying customers served  
36 or service furnished by such system of sewerage, the city or town  
37 legislative body may in its discretion consider any or all of the

1 following factors: The difference in cost of service to the various  
2 customers; the location of the various customers within and without the  
3 city or town; the difference in cost of maintenance, operation, repair,  
4 and replacement of the various parts of the system; the different  
5 character of the service furnished various customers; the quantity and  
6 quality of the sewage delivered and the time of its delivery; capital  
7 contributions made to the system, including but not limited to,  
8 assessments; and any other matters which present a reasonable  
9 difference as a ground for distinction.

10 ~~((If special indebtedness bonds or warrants are issued against the  
11 revenues, the legislative body shall by ordinance fix charges at rates  
12 which will be sufficient to take care of the costs of maintenance and  
13 operation, bond and warrant principal and interest, sinking fund  
14 requirements, and all other expenses necessary for efficient and proper  
15 operation of the system.))~~

16 All property owners within the area served by such sewerage system  
17 shall be compelled to connect their private drains and sewers with such  
18 city or town system, under such penalty as the legislative body of such  
19 city or town may by ordinance direct. Such penalty may in the  
20 discretion of such legislative body be an amount equal to the charge  
21 that would be made for sewer service if the property was connected to  
22 such system. All penalties collected shall be considered revenue of  
23 the system.

24 **Sec. 13.** RCW 35.81.100 and 1983 c 167 s 64 are each amended to  
25 read as follows:

26 (1) A municipality shall have the power to issue revenue bonds from  
27 time to time in its discretion to finance the undertaking of any urban  
28 renewal project under this chapter, including, without limiting the  
29 generality thereof, the payment of principal and interest upon any  
30 advances for surveys and plans for urban renewal projects, and shall  
31 also have power to issue refunding revenue bonds for the payment or  
32 retirement of such revenue bonds previously issued by it. The special  
33 fund or funds from which revenue bonds are payable shall be created,  
34 and the revenue bond shall be issued and sold, in accordance with  
35 chapter 39.46 RCW. Such revenue bonds shall not pledge the general  
36 credit of the municipality and shall be made payable, as to both  
37 principal and interest, solely from the income, proceeds, revenues, and  
38 funds of the municipality derived from, or held in connection with, its

1 undertaking and carrying out of urban renewal projects under this  
2 chapter: PROVIDED, That payment of such bonds, both as to principal  
3 and interest, may be further secured by a pledge of any loan, grant, or  
4 contribution from the federal government or other source, in aid of any  
5 urban renewal projects of the municipality under this chapter.

6 (2) Revenue bonds issued under this section shall not constitute an  
7 indebtedness within the meaning of any constitutional or statutory debt  
8 limitation or restriction, and shall not be subject to the provisions  
9 of any other law or charter relating to the authorization, issuance, or  
10 sale of bonds. Revenue bonds issued under the provisions of this  
11 chapter are declared to be issued for an essential public and  
12 governmental purpose, and together with interest thereon and income  
13 therefrom, shall be exempted from all taxes.

14 (3) (~~Bonds issued under this section shall be authorized by~~  
15 ~~resolution or ordinance of the local governing body and may be issued~~  
16 ~~in one or more series and shall bear such date or dates, be payable~~  
17 ~~upon demand or mature at such time or times, bear interest at such rate~~  
18 ~~or rates, be in such denomination or denominations, be in such form~~  
19 ~~either coupon or registered as provided in RCW 39.46.030, carry such~~  
20 ~~conversion or registration privileges, have such rank or priority, be~~  
21 ~~executed in such manner, be payable in such medium of payment, at such~~  
22 ~~place or places, and be subject to such terms of redemption (with or~~  
23 ~~without premium), be secured in such manner, and have such other~~  
24 ~~characteristics, as may be provided by such resolution or trust~~  
25 ~~indenture or mortgage issued pursuant thereto.~~

26 (4) ~~Such bonds may be sold at not less than ninety-eight percent of~~  
27 ~~par at public or private sale, or may be exchanged for other bonds on~~  
28 ~~the basis of par: PROVIDED, That such bonds may be sold to the federal~~  
29 ~~government at private sale at not less than par and, in the event less~~  
30 ~~than all of the authorized principal amount of such bonds is sold to~~  
31 ~~the federal government, the balance may be sold at public or private~~  
32 ~~sale at not less than ninety-eight percent of par at an interest cost~~  
33 ~~to the municipality of not to exceed the interest cost to the~~  
34 ~~municipality of the portion of the bonds sold to the federal~~  
35 ~~government.~~

36 (5) ~~The municipality may annually pay into a fund to be established~~  
37 ~~for the benefit of such bonds any and all excess of the taxes received~~  
38 ~~by it from the same property over and above the average of the annual~~  
39 ~~taxes authorized without vote for a five year period immediately~~

1 preceding the acquisition of the property by the municipality for  
2 renewal purposes, such payment to continue until such time as all bonds  
3 payable from the fund are paid in full. Any other taxing unit in a  
4 municipality is authorized to allocate a like amount of such excess  
5 taxes to the municipality or municipalities in which it is situated.

6 (6) In case any of the public officials of the municipality whose  
7 signatures appear on any bonds or any coupons issued under this chapter  
8 shall cease to be such officials before the delivery of such bonds,  
9 such signatures shall, nevertheless, be valid and sufficient for all  
10 purposes, the same as if such officials had remained in office until  
11 such delivery. Any provision of any law to the contrary  
12 notwithstanding, any bonds, issued pursuant to this chapter shall be  
13 fully negotiable.

14 (7)) In any suit, action, or proceeding involving the validity or  
15 enforceability of any bond issued under this chapter or the security  
16 therefor, any such bond reciting in substance that it has been issued  
17 by the municipality in connection with an urban renewal project, as  
18 herein defined, shall be conclusively deemed to have been issued for  
19 such purpose and such project shall be conclusively deemed to have been  
20 planned, located, and carried out in accordance with the provisions of  
21 this chapter.

22 ((8) Notwithstanding subsections (1) through (7) of this section,  
23 such bonds may be issued and sold in accordance with chapter 39.46  
24 RCW.))

25 **Sec. 14.** RCW 35.82.130 and 1991 c 167 s 2 are each amended to read  
26 as follows:

27 An authority shall have power to issue revenue bonds from time to  
28 time in its discretion, for any of its corporate purposes. An  
29 authority shall also have power to issue refunding revenue bonds for  
30 the purpose of paying or retiring revenue bonds previously issued by  
31 it. ((An authority may issue such types of bonds as it may determine,  
32 including (without limiting the generality of the foregoing) bonds on  
33 which the principal and interest are payable: (1) exclusively from))  
34 The special fund or funds from which revenue bonds or refunding revenue  
35 bonds are payable shall be created, and the revenue bonds or refunding  
36 revenue bonds shall be issued and sold, in accordance with chapter  
37 39.46 RCW. Revenues pledged to be placed into the special fund or  
38 funds include: (1) The income and revenues of the housing project



1 financed with the proceeds of such bonds; (2) ~~((exclusively from))~~ the  
2 income and revenues of certain designated housing projects whether or  
3 not they are financed in whole or in part with the proceeds of such  
4 bonds; ~~((or))~~ (3) ~~((from))~~ all or part of its revenues or assets  
5 generally~~((. Any such bonds may be additionally secured by a pledge~~  
6 ~~of))~~; (4) any grant or contributions from the federal government or  
7 other source~~((, or))~~; (5) a pledge of any income or revenues of the  
8 authority~~((, or))~~; or (6) a mortgage of any housing project, projects, or  
9 other property of the authority. ~~((Any pledge made by the authority~~  
10 ~~shall be valid and binding from the time when the pledge is made and~~  
11 ~~recorded; the revenues, moneys, or property so pledged and thereafter~~  
12 ~~received by the authority shall immediately be subject to the lien of~~  
13 ~~the pledge without any physical delivery thereof or further act, and~~  
14 ~~the lien of any such pledge shall be valid and binding as against all~~  
15 ~~parties having claims of any kind in tort, contract, or otherwise~~  
16 ~~against the authority, irrespective or whether the parties have notice~~  
17 ~~thereof. The resolution and any other instrument by which a pledge is~~  
18 ~~created shall be filed or recorded.~~

19 Neither the commissioners of an authority nor any person executing  
20 the bonds shall be liable personally on the bonds by reason of the  
21 issuance thereof. The bonds and other obligations of an authority (and  
22 such bonds and obligations shall so state on their face) shall not be  
23 a debt of the city, the county, the state or any political subdivision  
24 thereof and neither the city or the county, nor the state or any  
25 political subdivision thereof shall be liable thereon, nor in any event  
26 shall such bonds or obligations be payable out of any funds or  
27 properties other than those of said authority. The bonds shall not  
28 constitute an indebtedness within the meaning of any constitutional or  
29 statutory debt limitation or restriction.) Revenue bonds and refunding  
30 revenue bonds of an authority are declared to be issued for an  
31 essential public and governmental purpose and to be public  
32 instrumentalities and, together with interest thereon and income  
33 therefrom, shall be exempt from taxes. Nothing in this section shall  
34 prevent an authority from issuing revenue bonds and refunding revenue  
35 bonds the interest on which is included in gross income of the owners  
36 thereof for income tax purposes.

37 **Sec. 15.** RCW 35.89.010 and 1965 c 7 s 35.89.010 are each amended  
38 to read as follows:

1        If a public water system has been constructed within any local  
2 improvement district of any city or town for the construction of which  
3 bonds of the local improvement district were issued and are outstanding  
4 and unpaid, and if the city or town has taken over the system or is  
5 operating it as a public utility or has incorporated it into or  
6 connected it with any system operated by city or town as a public  
7 utility, from the operation of which such city or town derives a  
8 revenue, the city or town may by resolution of its council authorize  
9 the issue of revenue bonds to an amount not exceeding the amount of the  
10 local improvement bonds issued for the construction of the water system  
11 then outstanding and unpaid with interest due and unpaid, and may  
12 redeem the outstanding local improvement bonds by exchanging therefor  
13 an equal amount at par of the bonds authorized by this chapter. The  
14 new revenue bonds shall be called water redemption bonds. The  
15 redemption fund or funds from which revenue bonds are payable shall be  
16 created, and the water redemption revenue bonds shall be issued and  
17 sold, in accordance with chapter 39.46 RCW.

18        **Sec. 16.** RCW 35.89.030 and 1965 c 7 s 35.89.030 are each amended  
19 to read as follows:

20        Water redemption revenue bonds issued under the authority of this  
21 chapter shall only be sold or disposed of in exchange for an equal  
22 amount in par value of principal and interest of the local improvement  
23 district bonds issued for the construction of water systems taken over  
24 and operated by the city or town, or incorporated into or connected  
25 with a water system operated by it.

26        Upon the exchange of the water redemption revenue bonds authorized  
27 by this chapter for local improvement district bonds the city or town  
28 shall be subrogated to all the rights of the owners and holders of such  
29 local improvement district bonds against the property of the local  
30 improvement district and against any person or corporation liable  
31 thereon.

32        Any money derived by the city or town from the sale or enforcement  
33 of such local improvement district bonds shall be paid into the city's  
34 or town's water redemption fund.

35        **Sec. 17.** RCW 35.92.100 and 1983 c 167 s 68 are each amended to  
36 read as follows:

1       (~~(1)~~) When the voters of a city or town, or the corporate  
2 authorities thereof, have adopted a proposition for any public utility  
3 and either no general indebtedness has been authorized or the corporate  
4 authorities do not desire to incur a general indebtedness, and when the  
5 corporate authorities are authorized to exercise any of the powers  
6 conferred by this chapter without submitting the proposition to a vote,  
7 the corporate authorities may create a special fund or funds for the  
8 sole purpose of defraying the cost of the public utility or addition,  
9 betterment, or extension thereto(~~(, into which special fund they may~~  
10 ~~obligate and bind the city or town to set aside and pay a fixed~~  
11 ~~proportion of the gross revenues of the utility, or any fixed amount~~  
12 ~~out of and not exceeding a fixed proportion of such revenues, or a~~  
13 ~~fixed amount without regard to any fixed proportion,)) and issue and  
14 sell revenue bonds or revenue warrants (~~(bearing interest at a rate or~~  
15 ~~rates as authorized by the corporate authorities; payable semiannually,~~  
16 ~~executed in such manner and payable at such times and places as the~~  
17 ~~corporate authorities shall determine, but the bonds or warrants and~~  
18 ~~the interest thereon shall be)) payable only out of the special fund or  
19 funds and shall be a lien and charge against payments received from any  
20 utility local improvement district assessments pledged to secure such  
21 bonds. (~~(Such bonds shall be negotiable instruments within the meaning~~  
22 ~~of the negotiable instruments law, Title 62A RCW, notwithstanding same~~  
23 ~~are made payable out of a particular fund contrary to the provisions of~~  
24 ~~RCW 62A.3-105. Such bonds and warrants may be of any form, including~~  
25 ~~bearer bonds or bearer warrants, or registered bonds or registered~~  
26 ~~warrants as provided in RCW 39.46.030.)) The special fund or funds from  
27 which revenue bonds are payable shall be created, and the revenue bonds  
28 shall be issued and sold, in accordance with chapter 39.46 RCW.~~~~~~

29       When corporate authorities deem it necessary to construct any  
30 sewage disposal plant, it may be considered as a part of the waterworks  
31 department of the city or town and the cost of construction and  
32 maintenance thereof may be chargeable to the water fund of the  
33 municipality, or to any other special fund or funds which the corporate  
34 authorities may by ordinance designate.

35       (~~(In creating a special fund, the corporate authorities shall have~~  
36 ~~due regard to the cost of operation and maintenance of the plant or~~  
37 ~~system as constructed or added to, and to any proportion or part of the~~  
38 ~~revenue previously pledged as a fund for the payment of bonds,~~  
39 ~~warrants, or other indebtedness, and shall not set aside into such~~

1 special fund a greater amount or proportion of the revenue and proceeds  
2 than in their judgment will be available above such cost of maintenance  
3 and operation and the amount or proportion, if any, of the revenue so  
4 previously pledged.)) Rates shall be maintained adequate to service  
5 such bonds and to maintain the utility in sound financial condition.

6 ((The bonds or warrants and interest thereon issued against any  
7 such fund shall be a valid claim of the owner thereof only as against  
8 the special fund and its fixed proportion or amount of the revenue  
9 pledged thereto, and shall not constitute an indebtedness of the city  
10 or town within the meaning of constitutional provisions and  
11 limitations. Each bond or warrant shall state upon its face that it is  
12 payable from a special fund, naming it and the ordinance creating it.  
13 The bonds and warrants shall be sold in such manner as the corporate  
14 authorities shall deem for the best interest of the city or town, and  
15 they may provide in any contract for the construction and acquirement  
16 of the proposed improvement that payment therefor shall be made only in  
17 such bonds and warrants at par value thereof.

18 When a special fund is created and any such obligation is issued  
19 against it, a fixed proportion, or a fixed amount out of and not  
20 exceeding such fixed proportion, or a fixed amount without regard to  
21 any fixed proportion, of revenue shall be set aside and paid into such  
22 fund as provided in the ordinance creating it, and in case the city or  
23 town fails to thus set aside and pay such fixed proportion or amount,  
24 the owner of any bond or warrant against the fund may bring action  
25 against the city or town and compel such setting aside and payment:  
26 PROVIDED, That whenever the corporate authorities of any city or town  
27 shall so provide by ordinance then all such bonds thereafter issued  
28 shall be on a parity, without regard to date of issuance or  
29 authorization and without preference or priority of right or lien with  
30 respect to participation of special funds in amounts from gross  
31 revenues for payment thereof.

32 (2) Notwithstanding subsection (1) of this section, such bonds and  
33 warrants may be issued and sold in accordance with chapter 39.46 RCW.))

34 **Sec. 18.** RCW 35.92.110 and 1965 c 7 s 35.92.110 are each amended  
35 to read as follows:

36 The legislative authority of a city or town which has any  
37 outstanding warrants or bonds issued for the purpose of purchasing,  
38 acquiring, or constructing any such public utility or for making any

1 additions or betterments thereto or extensions thereof, whether the  
2 warrants or bonds are general obligation warrants or bonds of the  
3 municipality or are revenue bonds or warrants payable solely from a  
4 special fund or funds, into which fund or funds the city or town is  
5 bound and obligated to set aside and pay any proportion or part of the  
6 revenue of the public utility, for the purchase, acquisition, or  
7 construction of which utility or the making of any additions and  
8 betterments thereto or extensions thereof such outstanding warrants or  
9 bonds were issued, may, without submitting the matter to the voters,  
10 provide for the issuance of funding or refunding revenue bonds with  
11 which to take up, cancel, retire, and refund such outstanding warrants  
12 or bonds, or any part thereof, at maturity thereof, or before the  
13 maturity thereof, if they are subject to call for prior redemption.  
14 The special fund or funds from which funding or refunding revenue bonds  
15 are payable shall be created, and the funding or refunding revenue  
16 bonds shall be issued and sold, in accordance with chapter 39.46 RCW.

17 **Sec. 19.** RCW 35.92.150 and 1983 c 167 s 69 are each amended to  
18 read as follows:

19 ~~((1) Such funding or refunding bonds, together with the interest~~  
20 ~~thereon, issued against the special fund shall be a valid claim of the~~  
21 ~~owner thereof only as against such fund, and the amount of the revenue~~  
22 ~~of the utility pledged thereto, and shall not constitute an~~  
23 ~~indebtedness of the city or town within the meaning of constitutional~~  
24 ~~or statutory provisions and limitations. They shall be sold in such~~  
25 ~~manner as the corporate authorities shall deem for the best interest of~~  
26 ~~the municipality.)) The effective rate of interest on the funding or  
27 refunding revenue bonds shall not exceed the effective rate of interest  
28 on warrants or bonds to be funded or refunded thereby. ~~((Interest on~~  
29 ~~the bonds shall be paid semiannually. The bonds shall be executed in~~  
30 ~~such manner and payable at such time and place as the legislative~~  
31 ~~authority shall by ordinance determine. Nothing in this chapter shall~~  
32 ~~prevent a city or town from funding or refunding any of its~~  
33 ~~indebtedness in any other manner provided by law. Such bonds may be of~~  
34 ~~any form, including bearer bonds or registered bonds as provided in RCW~~  
35 ~~39.46.030.~~~~

36 ~~(2) Notwithstanding subsection (1) of this section, such bonds may~~  
37 ~~be issued and sold in accordance with chapter 39.46 RCW.))~~

1       **Sec. 20.** RCW 35.97.100 and 1983 c 216 s 10 are each amended to  
2 read as follows:

3       (~~For the purpose of providing funds~~) A municipality may issue  
4 revenue bonds to provide moneys for defraying all or a portion of the  
5 costs of planning, purchase, leasing, condemnation, or other  
6 acquisition, construction, reconstruction, development, improvement,  
7 extension, repair, maintenance, or operation of a heating system, and  
8 the implementation of the powers in RCW 35.97.030 and 35.97.040~~((, a~~  
9 ~~municipality may authorize, by ordinance or resolution, the creation of~~  
10 ~~a special fund or funds into which the municipality shall be~~  
11 ~~obligated))~~. The special fund or funds from which revenue bonds are  
12 payable shall be created, and the revenue bonds shall be issued and  
13 sold, in accordance with chapter 39.46 RCW. The municipality may  
14 obligate itself to set aside and pay into the special fund or funds  
15 from which revenue bonds are payable all or any designated proportion  
16 or amount of any or all revenues derived from the heating system,  
17 including any utility local improvement district assessments, any  
18 grants received to pay the cost of the heating system, and any  
19 municipal license fees specified in the ordinance or resolution  
20 creating such special fund or funds. The revenue bonds may be secured  
21 additionally by a mortgage covering all or part of the heating system,  
22 including any enlargements of and additions to the system that are  
23 subsequently made.

24       **Sec. 21.** RCW 35A.40.080 and 1967 ex.s. c 119 s 35A.40.080 are each  
25 amended to read as follows:

26       In addition to any other authority granted by law, a code city  
27 shall have authority to ratify and fund indebtedness as provided by  
28 chapter 35.40 RCW; to issue revenue bonds, coupons and warrants as  
29 authorized by chapter 35.41 RCW; to authorize and issue local  
30 improvement bonds and warrants, installment notes and interest  
31 certificates as authorized by chapter 35.45 RCW; to fund indebtedness  
32 and to issue other bonds as authorized by chapters ~~((39.44))~~ 39.46,  
33 39.48, 39.52 RCW, RCW 39.56.020, and 39.56.030 in accordance with the  
34 procedures and subject to the limitations therein provided.

35       **Sec. 22.** RCW 36.58.150 and 1984 c 186 s 25 are each amended to  
36 read as follows:

1       (~~(1)~~) A solid waste disposal district shall not have the power to  
2 levy an annual levy without voter approval, but it shall have the power  
3 to levy a tax, in excess of the one percent limitation, upon the  
4 property within the district for a one year period to be used for  
5 operating or capital purposes whenever authorized by the electors of  
6 the district pursuant to RCW 84.52.052 and Article VII, section 2(a) of  
7 the state Constitution.

8       A solid waste disposal district may issue general obligation bonds  
9 for capital purposes only, subject to the limitations prescribed in RCW  
10 39.36.020(1), and may provide for the retirement of the bonds by voter-  
11 approved bond retirement tax levies pursuant to Article VII, section  
12 2(b) of the state Constitution and RCW 84.52.056. Such general  
13 obligation bonds shall be issued and sold in accordance with chapter  
14 39.46 RCW.

15       A solid waste disposal district may issue revenue bonds to (~~fund~~)  
16 finance its activities and facilities. (~~Such revenue bonds may be in~~  
17 ~~any form, including bearer bonds or registered bonds as provided in RCW~~  
18 ~~39.46.030.~~

19       ~~(2) Notwithstanding subsection (1) of this section, such revenue~~  
20 ~~bonds may))~~ The special fund or funds from which revenue bonds are  
21 payable shall be created, and the revenue bonds shall be issued and  
22 sold, in accordance with chapter 39.46 RCW.

23       **Sec. 23.** RCW 36.60.060 and 1983 c 303 s 13 are each amended to  
24 read as follows:

25       (~~(1)~~) A county rail district may issue revenue bonds to (~~fund~~)  
26 defray the costs of acquiring, constructing, improving, repairing,  
27 replacing, maintaining, and operating revenue generating facilities  
28 which it is authorized to provide or operate. Whenever revenue bonds  
29 are to be issued, the governing body of the district shall create or  
30 have created a special fund or funds for the sole purpose of paying the  
31 principal of and interest on the bonds of each such issue(~~, into which~~  
32 ~~fund or funds the governing body may obligate the district to pay such~~  
33 ~~amounts of the gross revenue of all or any part of the facilities~~  
34 ~~constructed, acquired, improved, repaired, or replaced pursuant to this~~  
35 ~~chapter as the governing body determines.~~

36       ~~(2) The governing body of a county rail district issuing revenue~~  
37 ~~bonds shall create a special fund or funds from which, along with any~~  
38 ~~reserves created under RCW 39.44.140, the principal and interest on the~~

1 revenue bonds shall exclusively be payable. The governing body may  
2 obligate the county rail district to set aside and pay into the special  
3 fund or funds a fixed proportion or a fixed amount of the revenues from  
4 the public improvements, projects, facilities, and all related  
5 additions funded by the revenue bonds. This amount or proportion shall  
6 be a lien and charge against these revenues, subject only to operating  
7 and maintenance expenses. The governing body shall consider the cost  
8 of operation and maintenance of the public improvement, project,  
9 facility, or additions funded by the revenue bonds and shall not place  
10 into the special fund or funds a greater amount or proportion of the  
11 revenues than it thinks will be available after maintenance and  
12 operation expenses have been paid and after the payment of revenue  
13 previously pledged. The governing body may also provide that revenue  
14 bonds payable from the same source or sources of revenue may later be  
15 issued on parity with any revenue bonds issued and sold.

16 (3) Revenue bonds issued pursuant to this section shall not be an  
17 indebtedness of the county rail district issuing the bonds, and the  
18 interest and principal on the bonds shall only be payable from the  
19 revenues lawfully pledged to meet the principal and interest  
20 requirements and any reserves created pursuant to RCW 39.44.140. The  
21 owner of a revenue bond or any interest coupon issued pursuant to this  
22 section shall not have any claim against the county rail district  
23 arising from the bond or coupon except for payment from the revenues  
24 lawfully pledged to meet the principal and interest requirements and  
25 any reserves created pursuant to RCW 39.44.140. The substance of the  
26 limitations included in this subsection shall be plainly printed,  
27 written, or engraved on each bond issued pursuant to this section.

28 (4)).

29 The special fund or funds from which revenue bonds are payable  
30 shall be created, and the revenue bonds shall be issued and sold, in  
31 accordance with chapter 39.46 RCW. Revenue bonds with a maturity in  
32 excess of thirty years shall not be issued. ((The governing body of  
33 the county rail district shall by resolution determine for each revenue  
34 bond issue the amount, date, terms, conditions, denominations, maximum  
35 fixed or variable interest rate or rates, maturity or maturities,  
36 redemption rights, registration privileges, manner of execution, manner  
37 of sale, callable provisions, if any, and covenants including the  
38 refunding of existing revenue bonds. The bonds may be in any form,  
39 including bearer bonds or registered bonds. Facsimile signatures may



1 ~~be used on the bonds and any coupons.~~) Refunding revenue bonds may be  
2 issued and sold in the same manner as revenue bonds are issued and  
3 sold.

4 **Sec. 24.** RCW 36.67.510 and 1983 c 167 s 79 are each amended to  
5 read as follows:

6 The county legislative authority of any county is ~~((hereby))~~  
7 authorized ~~((for the purpose))~~ to issue revenue bonds to finance the  
8 costs of carrying out the lawful powers granted to the counties by the  
9 laws of the state ~~((to contract indebtedness and to issue revenue bonds~~  
10 ~~evidencing such indebtedness in conformity with this chapter. Such~~  
11 ~~bonds may))~~. The special fund or funds from which revenue bonds are  
12 payable shall be created, and the revenue bonds shall be issued and  
13 sold, in accordance with chapter 39.46 RCW.

14 **Sec. 25.** RCW 36.67.520 and 1981 c 313 s 12 are each amended to  
15 read as follows:

16 All such revenue bonds authorized under the terms of this chapter  
17 may be issued and sold by the counties from time to time and in such  
18 amounts as is deemed necessary by the legislative authority of each  
19 county to provide sufficient funds for the carrying out of all county  
20 powers, without limiting the generality thereof, including the  
21 following: Acquisition; construction; reconstruction; maintenance;  
22 repair; additions; operations of parks and recreations; flood control  
23 facilities; pollution facilities; parking facilities as a part of a  
24 courthouse or combined county-city building facility; and any other  
25 county purpose from which revenues can be derived. ~~((Included in the~~  
26 ~~costs thereof shall be any necessary engineering, inspection,~~  
27 ~~accounting, fiscal, and legal expenses, the cost of issuance of bonds,~~  
28 ~~including printing, engraving, and advertising and other similar~~  
29 ~~expenses, payment of interest on such bonds during the construction of~~  
30 ~~such facilities and a period no greater than one year after such~~  
31 ~~construction is completed, and the proceeds of such bond issue are~~  
32 ~~hereby made available for all such purposes.)) Revenue bonds may also  
33 be issued to refund revenue bonds or general obligation bonds which are  
34 issued for any of the purposes specified in this section.~~

35 **Sec. 26.** RCW 36.69.350 and 1972 ex.s. c 94 s 3 are each amended to  
36 read as follows:

1 The board of parks and recreation commissioners is ((hereby))  
2 authorized to issue revenue bonds for the purpose of carrying out the  
3 lawful powers granted to park and recreation districts by the laws of  
4 the state ((to contract indebtedness and to issue revenue bonds  
5 evidencing such indebtedness in conformity with this chapter)). The  
6 special fund or funds from which revenue bonds are payable shall be  
7 created, and the revenue bonds shall be issued and sold, in accordance  
8 with chapter 39.46 RCW.

9 **Sec. 27.** RCW 36.69.360 and 1972 ex.s. c 94 s 4 are each amended to  
10 read as follows:

11 All such revenue bonds authorized under the terms of this chapter  
12 may be issued and sold by the district from time to time and in such  
13 amounts as is deemed necessary by the board of park and recreation  
14 commissioners of each district to provide sufficient funds for the  
15 carrying out of all district powers, without limiting the generality  
16 thereof, including the following: Acquisition; construction;  
17 reconstruction; maintenance; repair; additions; operations of  
18 recreational facilities; parking facilities as a part of a recreational  
19 facility; and any other district purpose from which revenues can be  
20 derived. ((Included in the costs thereof shall be any necessary  
21 engineering, inspection, accounting, fiscal, and legal expenses, the  
22 cost of issuance of bonds, including printing, engraving and  
23 advertising and other similar expenses, and the proceeds of such bond  
24 issue are hereby made available for all such purposes.))

25 **Sec. 28.** RCW 36.69.450 and 1979 ex.s. c 11 s 4 are each amended to  
26 read as follows:

27 For all purposes essential to the maintenance, operation, and  
28 administration of a joint park and recreation district, including the  
29 apportionment of any funds, the county in which a joint park and  
30 recreation district shall be considered as belonging shall be the  
31 county containing the largest population of the joint district.  
32 Whenever the laws relating to park and recreation districts provide for  
33 an action by a county officer, the action, if required to be performed  
34 on behalf of a joint park and recreation district, shall be performed  
35 by the proper officer of the county to which the joint district  
36 belongs, except as otherwise provided by law. This delegation of  
37 authority extends but is not limited to:

1 (1) The declaration by the county legislative authority of the  
2 election results, as required by RCW 36.69.080;

3 (2) The filing of declarations of candidacy with the county auditor  
4 under RCW 36.69.090;

5 (3) The issuance of warrants by the county treasurer under RCW  
6 36.69.150; and

7 (4) The duties of the county treasurer and auditor in the  
8 establishment and operation of a local improvement district under RCW  
9 36.69.200, 36.69.220, 36.69.240, and 36.69.300. If the local  
10 improvement district is located wholly within any one of the  
11 participating counties, then the officers of that county shall perform  
12 the duties relating to that local improvement district(~~(; and~~

13 ~~(5) Receipt by the county treasurer of payments of revenue bonds~~  
14 ~~under RCW 36.69.370)).~~

15 **Sec. 29.** RCW 36.83.040 and 1983 c 130 s 4 are each amended to read  
16 as follows:

17 ~~((1))~~ To carry out the purpose of this chapter, a service  
18 district may issue general obligation bonds, not to exceed an amount,  
19 together with any other outstanding nonvoter approved general  
20 obligation indebtedness, equal to three-eighths of one percent of the  
21 value of taxable property within the district, as the term "value of  
22 taxable property" is defined in RCW 39.36.015. A service district may  
23 additionally issue general obligation bonds for capital purposes only,  
24 together with any outstanding general obligation indebtedness, not to  
25 exceed an amount equal to one and one-fourth percent of the value of  
26 the taxable property within the district, as the term "value of taxable  
27 property" is defined in RCW 39.36.015, when authorized by the voters of  
28 the service district pursuant to Article VIII, section 6 of the state  
29 Constitution, and to provide for the retirement thereof by excess  
30 property tax levies as provided in RCW 36.83.030(2). The service  
31 district may submit a single proposition to the voters which, if  
32 approved, authorizes both the issuance of the bonds and the bond  
33 retirement property tax levies.

34 ~~((2))~~ General obligation bonds with a maturity in excess of forty  
35 years shall not be issued. ~~((The governing body of the service~~  
36 ~~district shall by resolution determine for each general obligation bond~~  
37 ~~issue the amount, date, terms, conditions, denominations, maximum fixed~~  
38 ~~or variable interest rate or rates, maturity or maturities, redemption~~

1 rights, registration privileges, manner of execution, manner of sale,  
2 callable provisions, if any, covenants, and form, including  
3 registration as to principal and interest, registration as to principal  
4 only, or bearer. Registration may include, but not be limited to: (a)  
5 A book entry system of recording the ownership of a bond whether or not  
6 physical bonds are issued; or (b) recording the ownership of a bond  
7 together with the requirement that the transfer of ownership may only  
8 be effected by the surrender of the old bond and either the reissuance  
9 of the old bond or the issuance of a new bond to the new owner.  
10 Facsimile signatures may be used on the bonds and any coupons.))  
11 Refunding general obligation bonds ((may)) shall be issued ((in the  
12 same manner as general obligation bonds are issued.

13 (3)) and sold in accordance with chapter 39.46 RCW.

14 Whenever general obligation bonds are issued to fund specific  
15 projects or enterprises that generate revenues, charges, user fees, or  
16 special assessments, the service district which issues the bonds may  
17 specifically pledge all or a portion of the revenues, charges, user  
18 fees, or special assessments to refund the general obligation bonds.

19 **Sec. 30.** RCW 36.83.050 and 1983 c 130 s 5 are each amended to read  
20 as follows:

21 (1) A service district may form a local improvement district or  
22 utility local improvement district to provide any local improvement it  
23 has the authority to provide, impose special assessments on all  
24 property specially benefited by the local improvements, and issue  
25 special assessment bonds or revenue bonds to fund the costs of the  
26 local improvement. Improvement districts shall be created and  
27 assessments shall be made and collected pursuant to chapters 35.43,  
28 35.44, 35.49, 35.50, 35.53, and 35.54 RCW.

29 (2) The governing body of a service district shall by resolution  
30 establish for each special assessment bond issue the amount, date,  
31 terms, conditions, denominations, maximum fixed or variable interest  
32 rate or rates, maturity or maturities, redemption rights, registration  
33 privileges, if any, covenants, and form, including registration as to  
34 principal and interest, registration as to principal only, or bearer.  
35 Registration may include, but not be limited to: (a) A book entry  
36 system of recording the ownership of a bond whether or not physical  
37 bonds are issued; or (b) recording the ownership of a bond together  
38 with the requirement that the transfer of ownership may only be

1 effected by the surrender of the old bond and either the reissuance of  
2 the old bond or the issuance of a new bond to the new owner. Facsimile  
3 signatures may be used on the bonds and any coupons. The maximum term  
4 of any special assessment bonds shall not exceed thirty years beyond  
5 the date of issue. Special assessment bonds issued pursuant to this  
6 section shall not be an indebtedness of the service district issuing  
7 the bonds, and the interest and principal on the bonds shall only be  
8 payable from special assessments made for the improvement for which the  
9 bonds were issued and any local improvement guaranty fund that the  
10 service district has created. The owner or bearer of a special  
11 assessment bond or any interest coupon issued pursuant to this section  
12 shall not have any claim against the service district arising from the  
13 bond or coupon except for the payment from special assessments made for  
14 the improvement for which the bonds were issued and any local  
15 improvement guaranty fund the service district has created. The  
16 service district issuing the special assessment bonds is not liable to  
17 the owner or bearer of any special assessment bond or any interest  
18 coupon issued pursuant to this section for any loss occurring in the  
19 lawful operation of its local improvement guaranty fund. The substance  
20 of the limitations included in this subsection shall be plainly  
21 printed, written, or engraved on each special assessment bond issued  
22 pursuant to this section.

23 (3) The governing body may establish and pay moneys into a local  
24 improvement guaranty fund to guarantee special assessment bonds issued  
25 by the service district.

26 (4) The governing body of a service district shall provide for the  
27 payment of both the special assessments which are imposed and a portion  
28 of the utility income from the utility improvement into a special fund  
29 established for the payment of the revenue bonds to defray the cost of  
30 the utility local improvement district whenever it desires to create a  
31 utility local improvement district and issue revenue bonds to fund the  
32 local improvement. The special fund or funds from which revenue bonds  
33 are payable shall be created, and the revenue bonds shall be issued and  
34 sold, in accordance with chapter 39.46 RCW.

35 **Sec. 31.** RCW 36.89.100 and 1983 c 167 s 100 are each amended to  
36 read as follows:

37 ((+1)) Any county legislative authority may authorize the issuance  
38 of revenue bonds to finance any storm water control facility. ((Such

1 bonds may be issued by the county legislative authority in the same  
2 manner as prescribed in RCW 36.67.510 through 36.67.570. Such bonds  
3 may be in any form, including bearer bonds or registered bonds as  
4 provided in RCW 39.46.030.

5 Each revenue bond shall state on its face that it is payable from  
6 a special fund, naming such fund and the resolution creating the fund.

7 Revenue bond principal, interest, and all other related necessary  
8 expenses shall be payable only out of the appropriate special fund or  
9 funds. Revenue bonds shall be payable from the revenues of the storm  
10 water control facility being financed by the bonds, a system of these  
11 facilities and, if so provided, from)) Moneys pledged to be placed into  
12 the special fund or funds from which the revenue bonds are payable  
13 include, but are not limited to, special assessments, installments  
14 thereof, and interest and penalties thereon, levied in one or more  
15 utility local improvement districts authorized by ((this 1981 act.

16 (2) ~~Notwithstanding subsection (1) of this section, such bonds~~  
17 ~~may))~~ RCW 36.89.110 and chapter 36.94 RCW. The special fund or funds  
18 from which revenue bonds are payable shall be created, and the revenue  
19 bonds shall be issued and sold, in accordance with chapter 39.46 RCW.

20 **Sec. 32.** RCW 36.94.200 and 1984 c 186 s 35 are each amended to  
21 read as follows:

22 The legislative authority of any county is hereby authorized for  
23 the purpose of carrying out the lawful powers granted by this chapter  
24 to contract indebtedness and to issue and sell general obligation bonds  
25 pursuant to and in the manner provided for general county bonds in  
26 chapters 36.67 and 39.46 RCW and other applicable statutes; and to  
27 issue and sell revenue bonds pursuant to and in the manner provided for  
28 revenue bonds in chapters 36.67 and 39.46 RCW and other applicable  
29 statutes. The county legislative authority may also issue local  
30 improvement district bonds in the manner provided for cities and towns.

31 **Sec. 33.** RCW 39.46.150 and 1986 c 168 s 1 are each amended to read  
32 as follows:

33 (1) Any local government that is authorized to issue revenue bonds  
34 ~~((may))~~ shall issue its revenue bonds under this section and RCW  
35 39.46.160. ~~((If a local government chooses to issue revenue bonds~~  
36 ~~under this section and RCW 39.46.160, the issue shall be subject to the~~  
37 ~~limitations and restrictions of these sections. The authority to issue~~

1 ~~revenue bonds under this section and RCW 39.46.160 is supplementary and~~  
2 ~~in addition to any authority otherwise existing.))~~ The maximum term of  
3 any revenue bonds shall be forty years unless another statute  
4 authorizing the local government to issue revenue bonds provides for a  
5 different maximum term, in which event the local government may issue  
6 revenue bonds only with terms not in excess of such different maximum  
7 term.

8 (2) The governing body of a local government issuing revenue bonds  
9 shall create a special fund or funds, or use an existing special fund  
10 or funds, exclusively from which, along with reserve funds which may be  
11 created by the governing body, the principal and interest on such  
12 revenue bonds shall be payable. These reserve funds include those  
13 authorized to be created by RCW 39.46.160.

14 Subject to the limitations contained in this section, the governing  
15 body of a local government may provide such covenants as it may deem  
16 necessary to secure the payment of the principal of and interest on  
17 revenue bonds, and premium on revenue bonds, if any. Such covenants  
18 may include, but are not limited to, depositing certain revenues into  
19 a special fund or funds as provided in subsection (3) of this section;  
20 establishing, maintaining, and collecting fees, rates, charges,  
21 tariffs, or rentals, on facilities and services, the income of which is  
22 pledged for the payment of such bonds; operating, maintaining,  
23 managing, accounting, and auditing the local government; appointing  
24 trustees, depositaries, and paying agents; and any and all matters of  
25 like or different character, which affect the security or protection of  
26 the revenue bonds.

27 (3) The governing body may obligate the local government to set  
28 aside and pay into a special fund or funds created under subsection (2)  
29 of this section a proportion or a fixed amount of the revenues from the  
30 following: (a) The public improvements, projects, or facilities that  
31 are financed by the revenue bonds; or (b) the public utility or system,  
32 or an addition or extension to the public utility or system, where the  
33 improvements, projects, or facilities financed by the revenue bonds are  
34 a portion of the public utility or system; or (c) all the revenues of  
35 the local government; or (d) any other money legally available for such  
36 purposes. As used in this subsection, the term "revenues" includes the  
37 operating revenues of a local government that result from fees, rates,  
38 charges, tariffs, or rentals imposed upon the use or availability or  
39 benefit from projects, facilities, or utilities owned or operated by

1 the local government and from related services provided by the local  
2 government and other revenues legally available to be pledged to secure  
3 the revenue bonds.

4 The proportion or fixed amount of revenue so obligated shall be a  
5 lien and charge against these revenues, subject only to maintenance and  
6 operating expenses. The governing body shall have due regard for the  
7 cost of maintenance and operation of the public utility, system,  
8 improvement, project, facility, addition, or extension that generates  
9 revenues obligated to be placed into the special fund or funds from  
10 which the revenue bonds are payable, and shall not set aside into the  
11 special fund or funds a greater amount or proportion of the revenues  
12 that in its judgment will be available over and above such cost of  
13 maintenance and operation and the proportion or fixed amount, if any,  
14 of the revenue so previously pledged. Other revenues, including tax  
15 revenues, lawfully available for maintenance or operation of revenue  
16 generating facilities may be used for maintenance and operation  
17 purposes even though the facilities are acquired, constructed,  
18 expanded, replaced, or repaired with moneys arising from the sale of  
19 revenue bonds. However, the use of these other revenues for  
20 maintenance and operation purposes shall not be deemed to directly or  
21 indirectly guarantee the revenue bonds or create a general obligation.  
22 The obligation to maintain and impose fees, rates, charges, tariffs, or  
23 rentals at levels sufficient to finance maintenance and operations  
24 shall remain if the other revenues available for such purposes diminish  
25 or cease.

26 The governing body may also provide that revenue bonds payable out  
27 of the same source or sources of revenue may later be issued on a  
28 parity with any revenue bonds being issued and sold.

29 (4) A revenue bond issued by a local government shall not  
30 constitute an obligation of the state, either general or special, nor  
31 a general obligation of the local government issuing the bond, but is  
32 a special obligation of the local government issuing the bond, and the  
33 interest and principal on the bond shall only be payable from the  
34 special fund or funds established pursuant to subsection (2) of this  
35 section, the revenues lawfully pledged to the special fund or funds,  
36 and any lawfully created reserve funds. The owner of a revenue bond  
37 shall not have any claim for the payment thereof against the local  
38 government arising from the revenue bond except for payment from the  
39 special fund or funds, the revenues lawfully pledged to the special



1 fund or funds, and any lawfully created reserve funds. The owner of a  
2 revenue bond issued by a local government shall not have any claim  
3 against the state arising from the revenue bond. Tax revenues shall  
4 not be used directly or indirectly to secure or guarantee the payment  
5 of the principal of or interest on revenue bonds.

6 (~~{(5)}~~) The substance of the limitations included in this  
7 subsection shall be plainly printed, written, engraved, or reproduced  
8 on: (a) Each revenue bond that is a physical instrument; (b) the  
9 official notice of sale; and (c) each official statement associated  
10 with the bonds.

11 (~~{(6)}~~) (5) The authority to create a fund shall include the  
12 authority to create accounts within a fund.

13 (~~{(7)}~~) (6) Local governments issuing revenue bonds, payable from  
14 revenues derived from projects, facilities, or utilities, shall  
15 covenant to maintain and keep these projects, facilities, or utilities  
16 in proper operating condition for their useful life.

17 **Sec. 34.** RCW 39.46.160 and 1986 c 168 s 2 are each amended to read  
18 as follows:

19 (~~Any~~) A local government (~~issuing~~) that issues revenue bonds  
20 (~~under this section and RCW 39.46.150~~) may include in the amount of  
21 any such issue money for the purpose of establishing, maintaining, or  
22 increasing reserve funds to:

23 (1) Secure the payment of the principal of and interest on such  
24 revenue bonds; or

25 (2) Provide for replacements or renewals of or repairs or  
26 betterments to revenue producing facilities; or

27 (3) Provide for contingencies, including, but not limited to, loss  
28 of revenue caused by such contingencies.

29 No more than fifteen percent of a revenue bond may be used for such  
30 purposes.

31 NEW SECTION. **Sec. 35.** A new section is added to chapter 39.46 RCW  
32 to read as follows:

33 A local government that issues revenue bonds may include in the  
34 amount of the bonds moneys for engineering, architectural, planning,  
35 design, financial, legal, and other services or costs related to the  
36 acquisition, construction, remodeling, repair, extension, addition to,

1 betterment of, or maintenance of the facilities, improvements, or  
2 projects that are financed by moneys obtained from the bonds.

3       **Sec. 36.** RCW 39.50.030 and 1985 c 71 s 1 are each amended to read  
4 as follows:

5       (~~(1)~~) The issuance of short-term obligations shall be authorized  
6 by ordinance of the governing body which ordinance shall fix the  
7 maximum amount of the obligations to be issued or, if applicable, the  
8 maximum amount which may be outstanding at any time, the maximum term  
9 and interest rate or rates to be borne thereby, the manner of sale,  
10 maximum price, form including bearer or registered as provided in RCW  
11 39.46.030, terms, conditions, and the covenants thereof. The ordinance  
12 may provide for designation and employment of a paying agent for the  
13 short-term obligations and may authorize a designated representative of  
14 the municipal corporation to act on its behalf and subject to the terms  
15 of the ordinance in selling and delivering short-term obligations  
16 authorized and fixing the dates, price, interest rates, and other  
17 details as may be specified in the ordinance. Short-term obligations  
18 issued under this section shall bear such fixed or variable rate or  
19 rates of interest as the governing body considers to be in the best  
20 interests of the municipal corporation. Variable rates of interest may  
21 be fixed in relationship to such standard or index as the governing  
22 body designates.

23       The governing body may make contracts for the future sale of short-  
24 term obligations pursuant to which the purchasers are committed to  
25 purchase the short-term obligations from time to time on the terms and  
26 conditions stated in the contract, and may pay such consideration as it  
27 considers proper for the commitments. Short-term obligations issued in  
28 anticipation of the receipt of taxes shall be paid within six months  
29 from the end of the fiscal year in which they are issued. For the  
30 purpose of this subsection, short-term obligations issued in  
31 anticipation of the sale of general obligation bonds shall not be  
32 considered to be obligations issued in anticipation of the receipt of  
33 taxes.

34       (~~(2) Notwithstanding subsection (1) of this section, such short-~~  
35 ~~term obligations may be issued and sold in accordance with chapter~~  
36 ~~39.46 RCW.)~~)

1       **Sec. 37.** RCW 39.53.020 and 1977 ex.s. c 262 s 1 are each amended  
2 to read as follows:

3       The governing body of any public body may by ordinance provide for  
4 the issuance of bonds without an election to refund outstanding bonds  
5 heretofore or hereafter issued by such public body or its predecessor,  
6 only (1) in order to pay or discharge all or any part of such  
7 outstanding series or issue of bonds, including any interest thereon,  
8 in arrears or about to become due and for which sufficient funds are  
9 not available, (2) when necessary or in the best interest of the public  
10 body in order to modify debt service or reserve requirements, sources  
11 of payment, covenants, or other terms of the bonds to be refunded, or  
12 (3) in order to effect a saving to the public body. To determine  
13 whether or not a saving will be effected, consideration shall be given  
14 to the interest to fixed maturities of the refunding bonds and the  
15 bonds to be refunded, the costs of issuance of the refunding bonds,  
16 including any sale discount, the redemption premiums, if any, to be  
17 paid, and the known earned income from the investment of the refunding  
18 bond proceeds pending redemption of the bonds to be refunded.

19       Refunding general obligation bonds and refunding revenue bonds  
20 shall be issued and sold, and the special fund or funds from which  
21 refunding revenue bonds are payable shall be created, in accordance  
22 with chapter 39.46 RCW.

23       **Sec. 38.** RCW 39.84.100 and 1983 c 167 s 115 are each amended to  
24 read as follows:

25       (1) The principal of and the interest on any revenue bonds issued  
26 by a public corporation shall be payable solely from the funds provided  
27 for this payment from the revenues of the industrial development  
28 facilities funded by the revenue bonds. Each issue of revenue bonds  
29 shall be dated, shall bear interest at such rate or rates, and shall  
30 mature at such time or times as may be determined by the board of  
31 directors, and may be made redeemable before maturity at such price or  
32 prices and under such terms and conditions as may be fixed by the board  
33 of directors prior to the issuance of the revenue bonds or other  
34 revenue obligations.

35       (2) The board of directors shall determine the form and the manner  
36 of execution of the revenue bonds and shall fix the denomination or  
37 denominations of the revenue bonds and the place or places of payment  
38 of principal and interest. If any officer whose signature or a

1 facsimile of whose signature appears on any revenue bonds or any  
2 coupons ceases to be an officer before the delivery of the revenue  
3 bonds, the signature shall for all purposes have the same effect as if  
4 he had remained in office until delivery. The revenue bonds may be  
5 issued in coupon or in registered form, as provided in RCW 39.46.030,  
6 or both as the board of directors may determine, and provisions may be  
7 made for the registration of any coupon revenue bonds as to the  
8 principal alone and also as to both principal and interest and for the  
9 reconversion into coupon bonds of any bonds registered as to both  
10 principal and interest. A public corporation may sell revenue bonds at  
11 public or private sale for such price and bearing interest at such  
12 fixed or variable rate as may be determined by the board of directors.

13 (3) The proceeds of the revenue bonds of each issue shall be used  
14 solely for the payment of all or part of the project cost of or for the  
15 making of a loan in the amount of all or part of the project cost of  
16 the industrial development facility for which authorized and shall be  
17 disbursed in such manner and under such restrictions, if any, provided  
18 in the resolution authorizing the issuance of the revenue bonds or in  
19 the trust agreement securing the bonds. If the proceeds of the revenue  
20 bonds of any series issued with respect to the cost of any industrial  
21 development facility exceeds the cost of the industrial development  
22 facility for which issued, the surplus shall be deposited to the credit  
23 of the debt service fund for the revenue bonds or used to purchase  
24 revenue bonds in the open market.

25 (4) A public corporation may issue interim notes in the manner  
26 provided for the issuance of revenue bonds to fund industrial  
27 development facilities prior to issuing other revenue bonds to fund  
28 such facilities. A public corporation may issue revenue bonds to fund  
29 industrial development facilities that are exchangeable for other  
30 revenue bonds when these other revenue bonds are executed and available  
31 for delivery.

32 (5) The principal of and interest on any revenue bonds issued by a  
33 public corporation shall be secured by a pledge of unexpended bond  
34 proceeds and the revenues and receipts received by the public  
35 corporation from the industrial development facilities funded by the  
36 revenue bonds pursuant to financing documents. The resolution under  
37 which the revenue bonds are authorized to be issued and any financing  
38 document may contain agreements and provisions respecting the  
39 maintenance or use of the industrial development facility covered

1 thereby, the fixing and collection of rents, purchase price payments or  
2 loan payments, the creation and maintenance of special funds from such  
3 revenues or from revenue bond proceeds, the rights and remedies  
4 available in the event of default, and other provisions relating to the  
5 security for the bonds, all as the board of directors consider  
6 advisable which are not in conflict with this chapter.

7 (6) The governing body of the municipality under whose auspices the  
8 public corporation is created shall approve by resolution any agreement  
9 to issue revenue bonds adopted by a public corporation, which agreement  
10 and resolution shall set out the amount and purpose of the revenue  
11 bonds. Additionally, no issue of revenue bonds, including refunding  
12 bonds, may be sold and delivered by a public corporation without a  
13 resolution of the governing body of the municipality under whose  
14 auspices the public corporation is created, adopted no more than sixty  
15 days before the date of sale of the revenue bonds specifically,  
16 approving the resolution of the public corporation providing for the  
17 issuance of the revenue bonds.

18 (7) All revenue bonds issued under this chapter and any interest  
19 coupons applicable thereto are negotiable instruments within the  
20 meaning of Article 8 of the Uniform Commercial Code, Title 62A RCW,  
21 regardless of form or character.

22 (~~((8) Notwithstanding subsections (1) and (2) of this section, such~~  
23 ~~bonds and interim notes may be issued and sold in accordance with~~  
24 ~~chapter 39.46 RCW.))~~)

25 **Sec. 39.** RCW 43.52.3411 and 1987 c 376 s 10 are each amended to  
26 read as follows:

27 For the purposes provided for in this chapter, an operating agency  
28 shall have power to issue revenue bonds or revenue warrants payable  
29 from the revenues of the utility properties operated by it. Whenever  
30 the board of a joint operating agency shall deem it advisable to issue  
31 bonds or warrants to engage in conservation activities or to construct  
32 or acquire any public utility or any works, plants or facilities or any  
33 additions or betterments thereto or extensions thereof it shall provide  
34 therefor by resolution, which shall specify and adopt the system or  
35 plan proposed and declare the estimated cost thereof as near as may be.  
36 Such cost may include funds for working capital, for payment of  
37 expenses incurred in the conservation activities or the acquisition or  
38 construction of the utility and for the repayment of advances made to

1 the operating agency by any public utility district or city. Except as  
2 otherwise provided in RCW 43.52.343, all the provisions of law as now  
3 or hereafter in effect relating to revenue bonds or revenue warrants of  
4 public utility districts shall apply to revenue bonds or revenue  
5 warrants issued by the joint operating agency including, without  
6 limitation, provisions relating to: The creation of special funds and  
7 the pledging of revenues thereto; the time and place of payment of such  
8 bonds or warrants and the interest rate or rates thereon; the covenants  
9 that may be contained therein and the effect thereof; the execution,  
10 issuance, sale, funding, or refunding, redemption and registration of  
11 such bonds or warrants; and the status thereof as negotiable  
12 instruments, as legal securities for deposits of public moneys and as  
13 legal investments for trustees and other fiduciaries and for savings  
14 and loan associations, banks and insurance companies doing business in  
15 this state. However, for revenue bonds or revenue warrants issued by  
16 an operating agency, the provisions under RCW 54.24.030 relating to  
17 additional or alternate methods for payment may be made a part of the  
18 contract with the owners of any revenue bonds or revenue warrants of an  
19 operating agency. The board may authorize the managing director or the  
20 treasurer of the operating agency to sell revenue bonds or revenue  
21 warrants maturing one year or less from the date of issuance, and to  
22 fix the interest rate or rates on such revenue bonds or revenue  
23 warrants with such restrictions as the board shall prescribe. ((Such  
24 bonds and warrants may be in any form, including bearer bonds or bearer  
25 warrants, or registered bonds or registered warrants as provided in RCW  
26 39.46.030. Such bonds and warrants may also be issued and sold in  
27 accordance with chapter 39.46 RCW.))

28 **Sec. 40.** RCW 53.34.030 and 1983 c 167 s 133 are each amended to  
29 read as follows:

30 Whenever any port district shall determine to acquire or construct  
31 any one or more projects authorized under the provisions of this  
32 chapter, the commission of such district shall have the power and is  
33 authorized to issue negotiable revenue bonds and notes from time to  
34 time in one or more series or installments in such principal amount as,  
35 in the opinion of the commission, shall be necessary to provide  
36 sufficient money for the acquisition, construction, reconstruction,  
37 extension or improvement thereof as set forth in RCW 53.34.010((~~7~~  
38 ~~including engineering, inspection, legal and financial fees and costs,~~

1 ~~working capital, interest on such bonds and notes during construction~~  
2 ~~and for a reasonable period thereafter, establishment of reserves to~~  
3 ~~secure such bonds and notes and all other expenditures of such district~~  
4 ~~incidental, necessary or convenient to the establishment of such~~  
5 ~~projects on a sound financial basis, and to issue negotiable revenue~~  
6 ~~bonds and notes for the purpose of renewing or refunding such~~  
7 ~~outstanding bonds and notes in whole or in part at or prior to~~  
8 ~~maturity. All such revenue bonds or notes shall be negotiable~~  
9 ~~instruments within the meaning and purposes of the negotiable~~  
10 ~~instruments law and shall be sold by the commission in such manner and~~  
11 ~~for such price as the commission deems for the best interests of the~~  
12 ~~district: PROVIDED, That the bonds and warrants may be in any form,~~  
13 ~~including bearer bonds or bearer notes, or registered bonds or~~  
14 ~~registered notes as provided in RCW 39.46.030)). The special fund or~~  
15 ~~funds from which revenue bonds and revenue notes are payable shall be~~  
16 ~~created, and the revenue bonds and revenue notes shall be issued and~~  
17 ~~sold, in accordance with chapter 39.46 RCW. The commission may provide~~  
18 ~~in any contract for the construction or acquisition of all or any part~~  
19 ~~of a project or projects or for the additions or betterments thereto or~~  
20 ~~extensions or improvements thereof that payment therefor shall be made~~  
21 ~~only in such revenue bonds or revenue notes. Any revenue bonds issued~~  
22 ~~under the authority of this ((act)) section shall have a final maturity~~  
23 ~~not to exceed forty years from date of issue.~~

24 **Sec. 41.** RCW 53.40.010 and 1959 c 183 s 1 are each amended to read  
25 as follows:

26 The port commission of any port district is authorized for the  
27 purpose of carrying out the lawful powers granted port districts by the  
28 laws of the state to contract indebtedness and to issue revenue bonds  
29 evidencing such indebtedness ((in conformity with this chapter)) to  
30 defray the costs of acquiring, constructing, maintaining, repairing,  
31 enlarging, operating, and making additions to port properties and  
32 facilities. The special fund or funds from which revenue bonds and  
33 revenue warrants are payable shall be created, and the revenue bonds  
34 and revenue warrants shall be issued and sold, in accordance with  
35 chapter 39.46 RCW.

36 **Sec. 42.** RCW 53.40.130 and 1983 c 167 s 140 are each amended to  
37 read as follows:

1       (~~(1)~~) The port commission of any port district may by resolution,  
2 from time to time, provide for the issuance of funding or refunding  
3 revenue bonds to fund or refund any outstanding revenue warrants,  
4 bonds, and any premiums and interest due thereon at or before the  
5 maturity of such warrants or bonds, and may combine various outstanding  
6 revenue warrants and parts or all of various series and issues of  
7 outstanding revenue bonds and any matured coupons in the amount thereof  
8 to be funded or refunded.

9       The port commission shall create a special fund or funds for the  
10 sole purpose of paying the principal of and interest on such funding or  
11 refunding revenue bonds(~~(, into which fund the commission shall~~  
12 ~~obligate and bind the port district to set aside and pay any part or~~  
13 ~~parts of, or all of, or a fixed proportion of, or a fixed amount of the~~  
14 ~~gross revenue of the port district sufficient to pay such principal and~~  
15 ~~interest as the same shall become due, and if deemed necessary to~~  
16 ~~maintain adequate reserves therefor.~~

17       ~~Such funding or refunding bonds shall be negotiable instruments~~  
18 ~~within the provisions and intent of the negotiable instruments law of~~  
19 ~~this state, and the tax revenue of the port district may not be used to~~  
20 ~~pay, secure, or guarantee the payment of the principal of and interest~~  
21 ~~on such bonds. Such bonds may be in any form, including bearer bonds~~  
22 ~~or registered bonds as provided in RCW 39.46.030.~~

23       ~~The port district may exchange such funding or refunding bonds for~~  
24 ~~the warrants, bonds, and any coupons being funded or refunded, or it~~  
25 ~~may sell such funding or refunding bonds in the manner, at such rate or~~  
26 ~~rates of interest and at such price as the port commission shall deem~~  
27 ~~to be for the best interest of the district and its inhabitants, either~~  
28 ~~at public or private sale.~~

29       ~~The provisions of this chapter relating to the terms, conditions,~~  
30 ~~covenants, issuance, and sale of revenue bonds shall be applicable to~~  
31 ~~such funding or refunding bonds except as may be otherwise specifically~~  
32 ~~provided in this section.~~

33       ~~(2) Notwithstanding subsection (1) of this section, such bonds~~  
34 ~~may)). The special fund or funds from which funding or refunding  
35 revenue bonds are payable shall be created, and the funding or  
36 refunding revenue bonds shall be issued and sold, in accordance with  
37 chapter 39.46 RCW.~~



1       **Sec. 43.** RCW 54.16.070 and 1991 c 74 s 1 are each amended to read  
2 as follows:

3       (1) A district may contract indebtedness or borrow money for any  
4 corporate purpose on its credit or on the revenues of its public  
5 utilities, and to evidence such indebtedness may issue general  
6 obligation bonds or revenue obligations; may issue and sell local  
7 utility district bonds of districts created by the commission, and may  
8 purchase with surplus funds such local utility district bonds, and may  
9 create a guaranty fund to insure prompt payment of all local utility  
10 district bonds. The general obligation bonds and revenue obligations  
11 shall be issued and sold, and the special fund or funds from which  
12 revenue obligations are payable shall be created, in accordance with  
13 chapter 39.46 RCW. A district is authorized to establish lines of  
14 credit or make other prearranged agreements, or both, to borrow money  
15 with any financial institution.

16       (2) Notwithstanding subsection (1) of this section, (~~such revenue~~  
17 ~~obligations and~~) local utility district bonds may be issued and sold  
18 in accordance with chapter 39.46 RCW.

19       **Sec. 44.** RCW 54.24.018 and 1984 c 186 s 45 are each amended to  
20 read as follows:

21       (1) Whenever the commission shall deem it advisable that the public  
22 utility district purchase, purchase and condemn, acquire, or construct  
23 any such public utility, or make any additions or betterments thereto,  
24 or extensions thereof, the commission shall provide therefor by  
25 resolution, which shall specify and adopt the system or plan proposed,  
26 and declare the estimated cost thereof, as near as may be, and specify  
27 whether general or utility indebtedness is to be incurred(~~(,)~~) and the  
28 amount of such indebtedness(~~(, the amount of interest and the time in~~  
29 ~~which all)~~). General bonds (~~((if any))~~) shall (~~(be paid, not to~~  
30 ~~exceed)~~) not have a maximum term in excess of thirty years. In the  
31 event the proposed general indebtedness to be incurred will bring the  
32 nonvoter approved indebtedness of the public utility district to an  
33 amount exceeding three-fourths of one percent of the value of the  
34 taxable property of the public utility district, as the term "value of  
35 the taxable property" is defined in RCW 39.36.015, the proposition of  
36 incurring such indebtedness and the proposed plan or system shall be  
37 submitted to the qualified electors of said public utility district for  
38 their approval or rejection at the next general election held in such

1 public utility district. Elections shall be held as provided in RCW  
2 39.36.050.

3 Whenever the commission (or a majority of the qualified voters of  
4 such public utility district, voting at said election, when it is  
5 necessary to submit the same to said voters) shall have adopted a  
6 system or plan for any such public utility, as aforesaid, and shall  
7 have authorized indebtedness therefor by a three-fifths vote of the  
8 qualified voters of such district, voting at said election, general or  
9 public utility bonds may be used as hereinafter provided. The  
10 principal and interest of such general bonds shall be paid from the  
11 revenue of such public utility district after deducting costs of  
12 maintenance, operation, and expenses of the public utility district,  
13 and any deficit in the payment of principal and interest of said  
14 general bonds shall be paid by levying each year a tax upon the taxable  
15 property within said district sufficient to pay said interest and  
16 principal of said bonds, which tax shall be due and collectible as any  
17 other tax. Said bonds shall be issued and sold in accordance with  
18 chapter 39.46 RCW.

19 (2) All bonds and warrants issued under the authority of this  
20 chapter shall be legal securities, which may be used by any bank or  
21 trust company for deposit with the state treasurer, or any county or  
22 city treasurer, as security for deposits, in lieu of a surety bond,  
23 under any law relating to deposits of public moneys.

24 (3) When the commission shall not desire to incur a general  
25 indebtedness in the purchase, condemnation and purchase, acquisition,  
26 or construction of any such public utility, or addition or betterment  
27 thereto, or extension thereof, it shall have the power to (~~create a~~  
28 ~~special fund or funds~~) issue revenue bonds and revenue warrants for  
29 the sole purpose of defraying the cost of such public utility, or  
30 addition or betterment thereto, or extension thereof(~~(, into which~~  
31 ~~special fund or funds it may obligate and bind the district to set~~  
32 ~~aside and pay a fixed proportion of the gross revenues of such public~~  
33 ~~utility, or any fixed amount out of, and not exceeding a fixed~~  
34 ~~proportion of, such revenues, or a fixed amount without regard to any~~  
35 ~~fixed proportion, and to issue and sell revenue bonds or warrants~~  
36 ~~bearing interest at such rate or rates, payable semiannually, executed~~  
37 ~~in such manner, and payable at such times and places as the commission~~  
38 ~~shall determine, but such bonds or warrants and the interest thereon,~~  
39 ~~shall be payable only out of such special fund or funds. In creating~~

1 any such special fund or funds, the commission shall have due regard to  
2 the cost of operation and maintenance of the plant or system as  
3 constructed or added to, and to any proportion or part of the revenues  
4 previously pledged as a fund for the payment of bonds or warrants, and  
5 shall not set aside into such special fund or funds a greater amount or  
6 proportion of the revenues and proceeds than, in its judgment, will be  
7 available over and above such cost of maintenance and operation and the  
8 amount or proportion, if any, of the revenues so previously pledged.  
9 Any such bonds or warrants, and interest thereon, issued against any  
10 such fund, as herein provided, shall be a valid claim of the owner  
11 thereof only as against the said special fund and its fixed proportion  
12 or amount of the revenue pledged to such fund, and shall not constitute  
13 an indebtedness of such district within the meaning of the  
14 constitutional provisions and limitations. Each such bond or warrant  
15 shall state on its face that it is payable from a special fund, naming  
16 such fund and the resolution creating it. Said bonds and warrants  
17 shall be sold in such manner as the commission shall deem for the best  
18 interests of the district. The commission may provide in any contract  
19 for the construction and acquisition of a proposed improvement or  
20 utility that payment therefor shall be made only in such bonds or  
21 warrants at the par value thereof. In all other respects, the issuance  
22 of such utility bonds or warrants and payment therefor shall be  
23 governed by the public utility laws for cities and towns. The revenue  
24 or utility bonds or warrants may be in any form, including bearer bonds  
25 or bearer warrants, or registered bonds or registered warrants as  
26 provided in RCW 39.46.030.

27 (4) ~~Notwithstanding subsection (3) of this section, any of such~~  
28 ~~revenue bonds and revenue warrants may)).~~ The special fund or funds  
29 from which revenue bonds and revenue warrants are payable shall be  
30 created, and the revenue bonds and revenue warrants shall be issued and  
31 sold, in accordance with chapter 39.46 RCW.

32 **Sec. 45.** RCW 54.24.030 and 1983 c 167 s 147 are each amended to  
33 read as follows:

34 (1) ~~((Whenever the commission shall deem it advisable to))~~ A public  
35 utility district may issue revenue obligations for the purpose of  
36 defraying the cost or part of the cost of such public utility or any  
37 additions or betterments thereto or extensions thereof ~~((, it shall have~~  
38 ~~power as a part of such plan and system to))~~ and create a special fund

1 or funds for the purpose of defraying the cost of such ((public  
2 utility, or additions or betterments thereto or extensions thereof,  
3 into which special fund or funds it may obligate and bind the district  
4 to set aside and pay a fixed proportion of the gross revenues of such  
5 public utility, and all additions or betterments thereto or extensions  
6 thereof, or any fixed amount out of, and not exceeding a fixed  
7 proportion of such revenues, or a fixed amount without regard to any  
8 fixed proportion, or an amount of such revenues equal to a fixed  
9 percentage of the aggregate principal amount of revenue obligations at  
10 any time issued against the special fund or funds, and to issue and  
11 sell revenue obligations payable as to both principal and interest only  
12 out of such fund or funds.

13 Such revenue obligations shall bear such date or dates, mature at  
14 such time or times, be in such denominations, be in such form, either  
15 coupon or registered, as provided in RCW 39.46.030, or both, carry such  
16 registration privileges, be made transferable, exchangeable, and  
17 interchangeable, be payable in such medium of payment, at such place or  
18 places, and be subject to such terms of redemption as the commission  
19 shall by resolution determine)) revenue obligations. The special fund  
20 or funds from which revenue obligations are payable shall be created,  
21 and the revenue obligations shall be issued and sold, in accordance  
22 with chapter 39.46 RCW.

23 (2) Any resolution or resolutions authorizing the issuance of any  
24 revenue obligations maturing in not exceeding six years from the date  
25 thereof (hereinafter in this section referred to as "short term  
26 obligations") may contain, in addition to all other provisions  
27 authorized by this title, and as an alternate method for the payment  
28 thereof, provisions which shall be a part of the contract with the  
29 holders of the short term obligations thereby authorized as to:

30 (a) Refunding the short term obligations at or prior to maturity  
31 and, if so provided, outstanding bonds by the issuance of revenue bonds  
32 of the district either by the sale of bonds and application of the  
33 proceeds to the payment of the short term obligations and outstanding  
34 bonds or by the exchange of bonds for the short term obligations;

35 (b) Satisfying, paying, or discharging the short term obligations  
36 at the election of the district by the tender or delivery of revenue  
37 bonds of the district in exchange therefor: PROVIDED, That the  
38 aggregate principal amount of bonds shall not exceed by more than five  
39 percent the aggregate principal amount of the short term obligations,

1 to satisfy, pay, or discharge said short term obligations for which the  
2 bonds are tendered or delivered;

3 (c) Exchanging or converting the short term obligations at the  
4 election of the owner thereof for or into the bonds of the district:  
5 PROVIDED, That the aggregate principal amount of the bonds shall not  
6 exceed by more than five percent the aggregate principal amount of the  
7 short term obligations to be exchanged for or converted into bonds;

8 (d) Pledging bonds of the district as collateral to secure payment  
9 of the short term obligations and providing for the terms and  
10 conditions of the pledge and the manner of enforcing the pledge, which  
11 terms and conditions may provide for the delivery of the bonds in  
12 satisfaction of the short term obligations: PROVIDED, That the  
13 aggregate principal amount of the bonds pledged shall not exceed by  
14 more than five percent the aggregate principal amount of the short term  
15 obligations to secure said short term obligations for which they are  
16 pledged;

17 (e) Depositing bonds in escrow or in trust with a trustee or fiscal  
18 agent or otherwise providing for the issuance and disposition of the  
19 bonds as security for carrying out any of the provisions in any  
20 resolution adopted pursuant to this section and providing for the  
21 powers and duties of the trustee, fiscal agent, or other depository and  
22 the terms and conditions upon which the bonds are to be issued, held  
23 and disposed of;

24 (f) Any other matters of like or different character which relate  
25 to any provision or provisions of any resolution adopted pursuant to  
26 this section.

27 (3) A district shall have power to make contracts for the future  
28 sale from time to time of revenue obligations by which the purchasers  
29 shall be committed to purchase such revenue obligations from time to  
30 time on the terms and conditions stated in such contract; and a  
31 district shall have power to pay such consideration as it shall deem  
32 proper for such commitments.

33 (~~((2) Notwithstanding subsection (1) of this section, such revenue~~  
34 ~~obligations may be issued and sold in accordance with chapter 39.46~~  
35 ~~RCW.))~~

36 **Sec. 46.** RCW 54.24.040 and 1983 c 167 s 148 are each amended to  
37 read as follows:

1       (~~In creating any special fund for the payment of revenue~~  
2 ~~obligations, the commission shall have due regard to the cost of~~  
3 ~~operation and maintenance of the plant or system constructed or added~~  
4 ~~to, and to any proportion or amount of the revenues previously pledged~~  
5 ~~as a fund for the payment of revenue obligations, and shall not set~~  
6 ~~aside into such special fund or funds a greater amount or proportion of~~  
7 ~~the revenues and proceeds than in its judgment will be available over~~  
8 ~~and above such cost of maintenance and operation and the amount or~~  
9 ~~proportion, if any, of the revenues so previously pledged. Any such~~  
10 ~~revenue obligations and interest thereon issued against any such fund~~  
11 ~~as herein provided shall be a valid claim of the owner thereof only as~~  
12 ~~against such special fund and the proportion or amount of the revenues~~  
13 ~~pledged to such fund, but shall constitute a prior charge over all~~  
14 ~~other charges or claims whatsoever, including the charge or lien of any~~  
15 ~~general obligation bonds against such fund and the proportion or amount~~  
16 ~~of the revenues pledged thereto. Such revenue obligations shall not~~  
17 ~~constitute an indebtedness of such district within the meaning of the~~  
18 ~~constitutional provisions and limitations. Each revenue obligation~~  
19 ~~shall state on its face that it is payable from a special fund, naming~~  
20 ~~such fund and the resolution creating it, or shall describe such~~  
21 ~~alternate method for the payment thereof as shall be provided by the~~  
22 ~~resolution authorizing same.))~~)

23       It is the intention hereof that any pledge of the revenues or other  
24 moneys or obligations made by a district shall be valid and binding  
25 from the time that the pledge is made; that the revenues or other  
26 moneys or obligations so pledged and thereafter received by a district  
27 shall immediately be subject to the lien of such pledge without any  
28 physical delivery or further act, and that the lien of any such pledge  
29 shall be valid and binding as against any parties having claims of any  
30 kind in tort, contract, or otherwise against a district irrespective of  
31 whether such parties have notice thereof. Neither the resolution or  
32 other instrument by which a pledge is created need be recorded.

33       **Sec. 47.** RCW 54.24.090 and 1970 ex.s. c 56 s 79 are each amended  
34 to read as follows:

35       Whenever any district shall have outstanding any utility revenue  
36 obligations, the commission shall have power by resolution to provide  
37 for the issuance of funding or refunding revenue obligations with which  
38 to take up and refund such outstanding revenue obligations or any part

1 thereof at the maturity thereof or before maturity if the same be by  
2 their terms or by other agreement subject to call for prior redemption,  
3 with the right in the commission to include various series and issues  
4 of such outstanding revenue obligations in a single issue of funding or  
5 refunding revenue obligations, and to issue refunding revenue  
6 obligations to pay any redemption premium payable on the outstanding  
7 revenue obligations being funded or refunded. (~~Such funding or~~  
8 ~~refunding revenue obligations shall be payable only out of a special~~  
9 ~~fund created out of the gross revenues of such public utility, and~~  
10 ~~shall only be a valid claim as against such special fund and the amount~~  
11 ~~of the revenues of such utility pledged to such fund.)) The special  
12 fund or funds from which revenue obligations are payable shall be  
13 created, and the revenue obligations shall be issued and sold, in  
14 accordance with chapter 39.46 RCW. Such funding or refunding revenue  
15 obligations (~~shall~~), in the discretion of the commission, may be  
16 exchanged at par for the revenue obligations which are being funded or  
17 refunded (~~or shall be sold in such manner, at such price and at such~~  
18 ~~rate or rates of interest as the commission shall deem for the best~~  
19 ~~interest of the district. Said funding or refunding [revenue]~~  
20 ~~obligations shall except as specifically provided in this section, be~~  
21 ~~issued in accordance with the provisions with respect to revenue~~  
22 ~~obligations in this act set forth)).~~~~

23 **Sec. 48.** RCW 56.16.020 and 1987 c 449 s 5 are each amended to read  
24 as follows:

25 The sewer commissioners may, by resolution, issue revenue bonds  
26 (~~for~~) to finance the construction (costs, interest during the period  
27 of construction and six months thereafter, working capital, or other  
28 costs)) of any part or all of the general comprehensive plan or for  
29 other purposes or functions of a sewer district authorized by statute  
30 without submitting a proposition therefor to the voters. (~~The~~  
31 ~~resolution shall include the amount of the bonds to be issued.)) The  
32 special fund or funds from which revenue bonds are payable shall be  
33 created, and the revenue bonds shall be issued and sold, in accordance  
34 with chapter 39.46 RCW.~~

35 **Sec. 49.** RCW 56.16.115 and 1984 c 186 s 50 are each amended to  
36 read as follows:

1 The board of sewer commissioners may by resolution, without  
2 submitting the matter to the voters of the district, authorize the  
3 issuance of refunding general obligation bonds to refund any  
4 outstanding general obligation bonds, or any part thereof, at maturity  
5 thereof, or before the maturity thereof, if they are subject to call  
6 for prior redemption, or if all of the ((holders)) owners thereof  
7 consent thereto. The total cost to the district over the life of the  
8 refunding bonds shall not exceed the total cost, which the district  
9 would have incurred but for such refunding, over the remainder of the  
10 life of the bonds being refunded. The provisions of RCW 56.16.040  
11 ((specifying)) concerning the issuance and sale of general obligation  
12 bonds and providing for annual tax levies in excess of the  
13 constitutional and/or statutory tax limitations shall apply to the  
14 refunding general obligation bonds issued under this title.

15 The board of sewer commissioners may by resolution provide for the  
16 issuance of refunding revenue bonds to refund outstanding general  
17 obligation bonds and/or revenue bonds, or any part thereof, at maturity  
18 thereof, or before maturity thereof, if they are subject to call for  
19 prior redemption, or if all of the ((holders)) owners thereof consent  
20 thereto. The total cost to the district over the life of said  
21 refunding revenue bonds shall not exceed the total cost, which the  
22 district would have incurred but for such refunding, over the remainder  
23 of the life of the bonds being refunded. Uncollected assessments  
24 originally payable into the revenue bond fund of a refunded revenue  
25 bond issue shall be paid into the revenue bond fund of the refunding  
26 issue. The provisions of RCW ((56.16.060 specifying the form and  
27 maturities)) 56.16.020 concerning the creation of a special fund or  
28 funds from which revenue bonds are payable, and the issuance and sale  
29 of revenue bonds, shall apply to the refunding revenue bonds issued  
30 under this title.

31 Refunding general obligation bonds or refunding revenue bonds may  
32 be exchanged for the bonds being refunded or may be sold in such manner  
33 as the sewer commissioners shall deem for the best interest of the  
34 sewer district.

35 **Sec. 50.** RCW 57.16.030 and 1987 c 449 s 14 are each amended to  
36 read as follows:

37 ((+1)) The commissioners may, without submitting a proposition to  
38 the voters, authorize by resolution the district to issue revenue bonds



1 ~~((for)), revenue warrants, and revenue bond anticipation warrants to~~  
2 ~~finance the construction ((costs, interest during the period of~~  
3 ~~construction and six months thereafter, working capital or other~~  
4 ~~costs)) of any part or all of the general comprehensive plan or for~~  
5 other purposes or functions of a water district authorized by statute.  
6 ~~((The amount of the bonds to be issued shall be included in the~~  
7 ~~resolution submitted.)) The special fund or funds from which revenue  
8 bonds, revenue warrants, and revenue bond anticipation warrants are  
9 payable shall be created, and the revenue bonds, revenue warrants, and  
10 revenue bond anticipation warrants shall be issued and sold, in  
11 accordance with chapter 39.46 RCW.~~

12 Any resolution authorizing the issuance of revenue bonds may  
13 include provision for refunding any local improvement district bonds of  
14 a district, out of the proceeds of sale of revenue bonds, and a  
15 district may pay off any outstanding local improvement bonds with such  
16 funds either by purchase in the open market below their par value and  
17 accrued interest or by call at par value and accrued interest at the  
18 next succeeding interest payment date. ~~((The bonds may be in any form,~~  
19 ~~including bearer bonds or registered bonds as provided by RCW~~  
20 ~~39.46.030.))~~

21 When a resolution authorizing revenue bonds, revenue warrants, or  
22 revenue bond anticipation warrants has been adopted, the commissioners  
23 may forthwith carry out the general comprehensive plan to the extent  
24 specified.

25 ~~((2) Notwithstanding subsection (1) of this section, such bonds~~  
26 ~~may be issued and sold in accordance with chapter 39.46 RCW.))~~

27 **Sec. 51.** RCW 57.16.040 and 1984 c 186 s 52 are each amended to  
28 read as follows:

29 In the same manner as provided for the adoption of the original  
30 general comprehensive plan, a plan providing for additions and  
31 betterments to the original general comprehensive plan may be adopted.  
32 Without limiting its generality "additions and betterments" shall  
33 include any necessary change in, amendment of or addition to the  
34 general comprehensive plan.

35 The district may incur a general indebtedness payable from annual  
36 tax levies to be made in excess of the constitutional and/or statutory  
37 tax limitations for the construction of the additions and betterments  
38 in the same way that general indebtedness may be incurred for the

1 construction of the original general comprehensive plan after  
2 submission to the voters of the entire district in the manner the  
3 original proposition to incur indebtedness was submitted as provided in  
4 RCW 57.16.020. Upon ratification the additions and betterments may be  
5 carried out by the commissioners to the extent specified or referred to  
6 in the proposition to incur the general indebtedness.

7       The district may issue revenue bonds, revenue warrants, and revenue  
8 bond anticipation warrants to pay for the construction of the additions  
9 and the betterments pursuant to resolution of the board of water  
10 commissioners. The special fund or funds from which revenue bonds,  
11 revenue warrants, and revenue bond anticipation warrants are payable  
12 shall be created, and the revenue bonds, revenue warrants, and revenue  
13 bond anticipation warrants shall be issued and sold, in accordance with  
14 chapter 39.46 RCW.

15       **Sec. 52.** RCW 57.20.020 and 1991 c 347 s 20 are each amended to  
16 read as follows:

17       ~~((1) Whenever any issue or issues of water revenue bonds have been~~  
18 ~~authorized in compliance with the provisions of RCW 57.16.010 through~~  
19 ~~57.16.040, said bonds shall be in bearer form or registered as to~~  
20 ~~principal or interest or both, as provided in RCW 39.46.030, and may~~  
21 ~~provide for conversion between registered and coupon bonds; shall be in~~  
22 ~~such denominations, shall be numbered, shall bear such date, and shall~~  
23 ~~be payable at such time or times up to a maximum period of not to~~  
24 ~~exceed thirty years as shall be determined by the board of water~~  
25 ~~commissioners of the district; shall bear interest at such rate or~~  
26 ~~rates payable at such time or times as authorized by the board; shall~~  
27 ~~be payable at the office of the county treasurer of the county in which~~  
28 ~~the water district is located and may also be payable at such other~~  
29 ~~place or places as the board of water commissioners may determine;~~  
30 ~~shall be executed by the president of the board of water commissioners~~  
31 ~~and attested and sealed by the secretary thereof, one of which~~  
32 ~~signatures may, with the written permission of the signator whose~~  
33 ~~facsimile signature is being used, be a facsimile; and may have~~  
34 ~~facsimile signatures of said president or secretary imprinted on any~~  
35 ~~interest coupons in lieu of original signatures.~~

36       The water district commissioners shall have power and are required  
37 to create a special fund or funds for the sole purpose of paying the  
38 interest and principal of such bonds into which special fund or funds

1 the said water district commissioners shall obligate and bind the water  
2 district to set aside and pay a fixed proportion of the gross revenues  
3 of the water supply system or any fixed amount out of and not exceeding  
4 a fixed proportion of such revenues, or a fixed amount or amounts  
5 without regard to any fixed proportion and such bonds and the interest  
6 thereof shall be payable only out of such special fund or funds, but  
7 shall be a lien and charge against all revenues and payments received  
8 from any utility local improvement district or districts pledged to  
9 secure such bonds, subject only to operating and maintenance expenses.

10 In creating any such special fund or funds the water district  
11 commissioners of such water district shall have due regard to the cost  
12 of operation and maintenance of the plant or system as constructed or  
13 added to and to any proportion or part of the revenue previously  
14 pledged as a fund for the payment of bonds, warrants or other  
15 indebtedness, and shall not set aside into such special fund a greater  
16 amount or proportion of the revenue and proceeds than in their judgment  
17 will be available over and above such cost of maintenance and operation  
18 and the amount or proportion, if any, of the revenue so previously  
19 pledged. Any such bonds and interest thereon issued against any such  
20 fund as herein provided shall be a valid claim of the owner thereof  
21 only as against the said special fund and its fixed proportion or  
22 amount of the revenue pledged to such fund, and shall not constitute an  
23 indebtedness of such water district within the meaning of the  
24 constitutional provisions and limitations. Each such bond shall state  
25 upon its face that it is payable from a special fund, naming the said  
26 fund and the resolution creating it. Said bonds shall be sold in such  
27 manner, at such price and at such rate or rates of interest as the  
28 water district commissioners shall deem for the best interests of the  
29 water district, either at public or private sale, and the said  
30 commissioners may provide in any contract for the construction and  
31 acquirement of the proposed improvement (and for the refunding of  
32 outstanding local improvement district obligations, if any) that  
33 payment therefor shall be made in such bonds at par value thereof.

34 When any such special fund shall have been heretofore or shall be  
35 hereafter created and any such bonds shall have been heretofore or  
36 shall hereafter be issued against the same a fixed proportion or a  
37 fixed amount out of and not to exceed such fixed proportion, or a fixed  
38 amount or amounts without regard to any fixed proportion, of revenue  
39 shall be set aside and paid into said special fund as provided in the

1 resolution creating such fund or authorizing such bonds, and in case  
2 any water district shall fail thus to set aside and pay said fixed  
3 proportion or amount as aforesaid, the owner of any bond payable from  
4 such special fund may bring suit or action against the water district  
5 and compel such setting aside and payment.

6 (2) Notwithstanding subsection (1) of this section, such bonds may  
7 be issued and sold in accordance with chapter 39.46 RCW.

8 (3)) The water district commissioners of any water district, in  
9 the event that ((such)) water revenue bonds, revenue warrants, or  
10 revenue bond anticipation warrants are issued, shall provide for  
11 revenues by fixing rates and charges for the furnishing of water supply  
12 to those receiving such service, such rates and charges to be fixed as  
13 deemed necessary by such water district commissioners, so that uniform  
14 charges will be made for the same class of customer or service.

15 In classifying customers served or service furnished by such water  
16 supply system, the board of water commissioners may in its discretion  
17 consider any or all of the following factors: The difference in cost  
18 of service to the various customers; the location of the various  
19 customers within and without the district; the difference in cost of  
20 maintenance, operation, repair and replacement of the various parts of  
21 the system; the different character of the service furnished various  
22 customers; the quantity and quality of the water furnished; the time of  
23 its use; the achievement of water conservation goals and the  
24 discouragement of wasteful practices; capital contributions made to the  
25 system including but not limited to assessments; and any other matters  
26 which present a reasonable difference as a ground for distinction.  
27 Such rates shall be made on a monthly basis as may be deemed proper by  
28 such commissioners and as fixed by resolution and shall produce  
29 revenues sufficient to take care of the costs of maintenance and  
30 operation, revenue bond and warrant interest and principal amortization  
31 requirements and all other charges necessary for efficient and proper  
32 operation of the system.

33 **Sec. 53.** RCW 57.20.025 and 1977 ex.s. c 299 s 8 are each amended  
34 to read as follows:

35 (1) The board of water commissioners of any water district may by  
36 resolution provide for the issuance of refunding revenue bonds to  
37 refund outstanding general obligation bonds and/or revenue bonds, or  
38 any part thereof, and/or all outstanding local improvement district

1 bonds, at maturity thereof, or before maturity thereof if they are  
2 subject to call for prior redemption or all of the (~~holders~~) owners  
3 thereof consent thereto. The total interest cost to the district over  
4 the life of the refunding bonds shall not exceed the total cost to the  
5 district which the district would have incurred but for such refunding  
6 over the remainder of the life of the bonds to be refunded thereby.  
7 The special fund or funds from which refunding revenue bonds are  
8 payable shall be created, and the refunding revenue bonds shall be  
9 issued and sold, in accordance with chapter 39.46 RCW. The refunding  
10 revenue bonds may be exchanged for the bonds to be refunded thereby(~~(~~  
11 ~~or may be sold in such manner as the board of water commissioners deems~~  
12 ~~to be for the best interest of the district, and)). The proceeds from  
13 the sale of refunding revenue bonds shall be used, except as  
14 hereinafter provided, exclusively for the purpose of paying, retiring  
15 and canceling the bonds to be refunded and interest thereon.~~

16 (2) All unpaid utility local improvement district assessments  
17 payable into the revenue bond redemption fund established for payment  
18 of the bonds to be refunded shall thereafter when collected be paid  
19 into the revenue bond redemption fund established for payment of the  
20 refunding revenue bonds.

21 Whenever local improvement district bonds have been refunded as  
22 provided by RCW 57.16.030 (~~(as now or hereafter amended,)~~) or pursuant  
23 to this section, all local improvement district assessments remaining  
24 unpaid shall thereafter when collected be paid into the revenue bond  
25 redemption fund established for payment of the refunding revenue bonds,  
26 and the cash balance, if any, in the local improvement guaranty fund of  
27 the district and the proceeds received from any other assets owned by  
28 such fund shall be used in whole or in part as a reserve fund for the  
29 refunding revenue bonds or be transferred in whole or in part to any  
30 other funds of the district as the board of water commissioners may  
31 determine. In the event that any warrants are outstanding against the  
32 local improvement guaranty fund of the district at the time of the  
33 issuance of such refunding revenue bonds, said bonds shall be issued in  
34 an amount sufficient also to fund and pay such outstanding warrants.

35 The provisions of RCW 57.20.020 shall apply to the refunding  
36 revenue bonds issued under this title.

37 **Sec. 54.** RCW 67.28.160 and 1983 c 167 s 168 are each amended to  
38 read as follows:

1       (~~((1) To carry out the purposes of this chapter))~~ The legislative  
2 body of any municipality shall have the power to issue revenue bonds to to  
3 finance the cost of carrying out the purposes of this chapter without  
4 submitting the matter to the voters of the municipality(~~(:—PROVIDED,~~  
5 ~~That the legislative body shall create a special fund or funds for the~~  
6 ~~sole purpose of paying the principal of and interest on the bonds of~~  
7 ~~each such issue, into which fund or funds the legislative body may~~  
8 ~~obligate the municipality to pay all or part of amounts collected from~~  
9 ~~the special taxes provided for in RCW 67.28.180, and/or to pay such~~  
10 ~~amounts of the gross revenue of all or any part of the facilities~~  
11 ~~constructed, acquired, improved, added to, repaired or replaced~~  
12 ~~pursuant to this chapter, as the legislative body shall determine:~~  
13 ~~PROVIDED, FURTHER, That the principal of and interest on such bonds~~  
14 ~~shall be payable only out of such special fund or funds, and the owners~~  
15 ~~of such bonds shall have a lien and charge against the gross revenue~~  
16 ~~pledged to such fund.~~

17       Such revenue bonds and the interest thereon issued against such  
18 fund or funds shall constitute a claim of the owners thereof only as  
19 against such fund or funds and the revenue pledged therefor, and shall  
20 not constitute a general indebtedness of the municipality.

21       Each such revenue bond shall state upon its face that it is payable  
22 from such special fund or funds, and all revenue bonds issued under  
23 this chapter shall be negotiable securities within the provisions of  
24 the law of this state. Such revenue bonds may be registered either as  
25 to principal only or as to principal and interest as provided in RCW  
26 39.46.030, or may be bearer bonds; shall be in such denominations as  
27 the legislative body shall deem proper; shall be payable at such time  
28 or times and at such places as shall be determined by the legislative  
29 body; shall be executed in such manner and bear interest at such rate  
30 or rates as shall be determined by the legislative body.

31       Such revenue bonds shall be sold in such manner as the legislative  
32 body shall deem to be for the best interests of the municipality,  
33 either at public or private sale.

34       The legislative body may at the time of the issuance of such  
35 revenue bonds make such covenants with the owners of said bonds as it  
36 may deem necessary to secure and guaranty the payment of the principal  
37 thereof and the interest thereon, including but not being limited to  
38 covenants to set aside adequate reserves to secure or guaranty the  
39 payment of such principal and interest, to pledge and apply thereto

1 part or all of any lawfully authorized special taxes provided for in  
2 RCW 67.28.180, to maintain rates, charges or rentals sufficient with  
3 other available moneys to pay such principal and interest and to  
4 maintain adequate coverage over debt service, to appoint a trustee or  
5 trustees for the bond owners, to safeguard the expenditure of the  
6 proceeds of sale of such bonds and to fix the powers and duties of such  
7 trustee or trustees and to make such other covenants as the legislative  
8 body may deem necessary to accomplish the most advantageous sale of  
9 such bonds. The legislative body may also provide that revenue bonds  
10 payable out of the same source may later be issued on a parity with  
11 revenue bonds being issued and sold.

12 The legislative body may include in the principal amount of any  
13 such revenue bond issue an amount for engineering, architectural,  
14 planning, financial, legal, and other services and charges incident to  
15 the acquisition or construction of public stadium facilities,  
16 convention center facilities, performing arts center facilities, and/or  
17 visual arts center facilities, an amount to establish necessary  
18 reserves, an amount for working capital and an amount necessary for  
19 interest during the period of construction of any facilities to be  
20 financed from the proceeds of such issue plus six months. The  
21 legislative body may, if it deems it in the best interest of the  
22 municipality, provide in any contract for the construction or  
23 acquisition of any facilities or additions or improvements thereto or  
24 replacements or extensions thereof that payment therefor shall be made  
25 only in such revenue bonds.

26 If the municipality shall fail to carry out or perform any of its  
27 obligations or covenants made in the authorization, issuance and sale  
28 of such bonds, the owner of any such bond may bring action against the  
29 municipality and compel the performance of any or all of such  
30 covenants.

31 ~~(2) Notwithstanding subsection (1) of this section, such bonds~~  
32 ~~may)). The special fund or funds from which revenue bonds are payable~~  
33 ~~shall be created, and the revenue bonds shall be issued and sold, in~~  
34 ~~accordance with chapter 39.46 RCW.~~

35 **Sec. 55.** RCW 67.38.120 and 1983 c 167 s 170 are each amended to  
36 read as follows:

37 ~~((1) To carry out the purposes of this chapter, the))~~ A cultural  
38 arts, stadium and convention district shall have the power to issue

1 revenue bonds(~~(: PROVIDED, That the district governing body shall~~  
2 ~~create or have created a special fund or funds for the sole purpose of~~  
3 ~~paying the principal of and interest on the bonds of each such issue,~~  
4 ~~into which fund or funds the governing body may obligate the district~~  
5 ~~to pay such amounts of the gross revenue of all or any part of the~~  
6 ~~facilities constructed, acquired, improved, repaired or replaced~~  
7 ~~pursuant to this chapter, as the governing body shall determine:~~  
8 ~~PROVIDED FURTHER, That the principal of and interest on such bonds~~  
9 ~~shall be payable only out of such special fund or funds, and the owners~~  
10 ~~of such bonds shall have a lien and charge against the gross revenue~~  
11 ~~pledged to such fund. Such bonds may be in any form, including bearer~~  
12 ~~bonds or registered bonds as provided in RCW 39.46.030.~~

13 The governing body of a district shall have such further powers and  
14 duties in carrying out the purposes of this chapter as provided in RCW  
15 67.28.160.

16 ~~(2) Notwithstanding subsection (1) of this section, such bonds~~  
17 ~~may)). The special fund or funds from which revenue bonds are payable~~  
18 ~~shall be created, and the revenue bonds shall be issued and sold, in~~  
19 ~~accordance with chapter 39.46 RCW.~~

20 **Sec. 56.** RCW 70.44.060 and 1990 c 234 s 2 are each amended to read  
21 as follows:

22 All public hospital districts organized under the provisions of  
23 this chapter shall have power:

24 (1) To make a survey of existing hospital and other health care  
25 facilities within and without such district.

26 (2) To construct, condemn and purchase, purchase, acquire, lease,  
27 add to, maintain, operate, develop and regulate, sell and convey all  
28 lands, property, property rights, equipment, hospital and other health  
29 care facilities and systems for the maintenance of hospitals,  
30 buildings, structures, and any and all other facilities, and to  
31 exercise the right of eminent domain to effectuate the foregoing  
32 purposes or for the acquisition and damaging of the same or property of  
33 any kind appurtenant thereto, and such right of eminent domain shall be  
34 exercised and instituted pursuant to a resolution of the commission and  
35 conducted in the same manner and by the same procedure as in or may be  
36 provided by law for the exercise of the power of eminent domain by  
37 incorporated cities and towns of the state of Washington in the  
38 acquisition of property rights: PROVIDED, That no public hospital



1 district shall have the right of eminent domain and the power of  
2 condemnation against any health care facility.

3 (3) To lease existing hospital and other health care facilities and  
4 equipment and/or other property used in connection therewith, including  
5 ambulances, and to pay such rental therefor as the commissioners shall  
6 deem proper; to provide hospital and other health care services for  
7 residents of said district by facilities located outside the boundaries  
8 of said district, by contract or in any other manner said commissioners  
9 may deem expedient or necessary under the existing conditions; and said  
10 hospital district shall have the power to contract with other  
11 communities, corporations, or individuals for the services provided by  
12 said hospital district; and they may further receive in said hospitals  
13 and other health care facilities and furnish proper and adequate  
14 services to all persons not residents of said district at such  
15 reasonable and fair compensation as may be considered proper:  
16 PROVIDED, That it must at all times make adequate provision for the  
17 needs of the district and residents of said district shall have prior  
18 rights to the available hospital and other health care facilities of  
19 said district, at rates set by the district commissioners.

20 (4) For the purpose aforesaid, it shall be lawful for any district  
21 so organized to take, condemn and purchase, lease, or acquire, any and  
22 all property, and property rights, including state and county lands,  
23 for any of the purposes aforesaid, and any and all other facilities  
24 necessary or convenient, and in connection with the construction,  
25 maintenance, and operation of any such hospitals and other health care  
26 facilities, subject, however, to the applicable limitations provided in  
27 subsection (2) of this section.

28 (5) To contract indebtedness or borrow money for corporate purposes  
29 on the credit of the corporation or the revenues of the hospitals  
30 thereof, and the revenues of any other facilities or services that the  
31 district is or hereafter may be authorized by law to provide, and to  
32 issue and sell: (a) Revenue bonds, revenue warrants, or other revenue  
33 obligations (~~((therefor payable solely out of a special fund or funds~~  
34 ~~into which the district may pledge such amount of the revenues of the~~  
35 ~~hospitals thereof, and the revenues of any other facilities or services~~  
36 ~~that the district is or hereafter may be authorized by law to provide,~~  
37 ~~to pay the same as the commissioners of the district may determine,~~  
38 ~~such revenue bonds, warrants, or other obligations to be issued and~~  
39 ~~sold in the same manner and subject to the same provisions as provided~~

1 ~~for the issuance of revenue bonds, warrants, or other obligations by~~  
2 ~~cities or towns under the Municipal Revenue Bond Act, chapter 35.41~~  
3 ~~RCW, as may hereafter be amended));~~ (b) general obligation bonds  
4 therefor in the manner and form as provided in RCW 70.44.110 and  
5 70.44.130, as may hereafter be amended; or (c) interest-bearing  
6 warrants to be drawn on a fund pending deposit in such fund of money  
7 sufficient to redeem such warrants and to be issued and paid in such  
8 manner and upon such terms and conditions as the board of commissioners  
9 may deem to be in the best interest of the district; and to assign or  
10 sell hospital accounts receivable, and accounts receivable for the use  
11 of other facilities or services that the district is or hereafter may  
12 be authorized by law to provide, for collection with or without  
13 recourse. General obligation bonds shall be issued and sold in  
14 accordance with chapter 39.46 RCW. The special fund or funds from  
15 which revenue bonds, revenue warrants, or other revenue obligations are  
16 payable shall be created, and the revenue bonds, revenue warrants, or  
17 other revenue obligations ((may)) shall be issued and sold, in  
18 accordance with chapter 39.46 RCW.

19 (6) To raise revenue by the levy of an annual tax on all taxable  
20 property within such public hospital district not to exceed fifty cents  
21 per thousand dollars of assessed value, and an additional annual tax on  
22 all taxable property within such public hospital district not to exceed  
23 twenty-five cents per thousand dollars of assessed value, or such  
24 further amount as has been or shall be authorized by a vote of the  
25 people. Although public hospital districts are authorized to impose  
26 two separate regular property tax levies, the levies shall be  
27 considered to be a single levy for purposes of the one hundred six  
28 percent limitation provided for in chapter 84.55 RCW. Public hospital  
29 districts are authorized to levy such a general tax in excess of their  
30 regular property taxes when authorized so to do at a special election  
31 conducted in accordance with and subject to all of the requirements of  
32 the Constitution and the laws of the state of Washington now in force  
33 or hereafter enacted governing the limitation of tax levies. The said  
34 board of district commissioners is authorized and empowered to call a  
35 special election for the purpose of submitting to the qualified voters  
36 of the hospital district a proposition or propositions to levy taxes in  
37 excess of its regular property taxes. The superintendent shall prepare  
38 a proposed budget of the contemplated financial transactions for the  
39 ensuing year and file the same in the records of the commission on or

1 before the first Monday in September. Notice of the filing of said  
2 proposed budget and the date and place of hearing on the same shall be  
3 published for at least two consecutive weeks in a newspaper printed and  
4 of general circulation in said county. On the first Monday in October  
5 the commission shall hold a public hearing on said proposed budget at  
6 which any taxpayer may appear and be heard against the whole or any  
7 part of the proposed budget. Upon the conclusion of said hearing, the  
8 commission shall, by resolution, adopt the budget as finally determined  
9 and fix the final amount of expenditures for the ensuing year. Taxes  
10 levied by the commission shall be certified to and collected by the  
11 proper county officer of the county in which such public hospital  
12 district is located in the same manner as is or may be provided by law  
13 for the certification and collection of port district taxes. The  
14 commission is authorized, prior to the receipt of taxes raised by levy,  
15 to borrow money or issue warrants of the district in anticipation of  
16 the revenue to be derived by such district from the levy of taxes for  
17 the purpose of such district, and such warrants shall be redeemed from  
18 the first money available from such taxes when collected, and such  
19 warrants shall not exceed the anticipated revenues of one year, and  
20 shall bear interest at a rate or rates as authorized by the commission.

21 (7) To enter into any contract with the United States government or  
22 any state, municipality, or other hospital district, or any department  
23 of those governing bodies, for carrying out any of the powers  
24 authorized by this chapter.

25 (8) To sue and be sued in any court of competent jurisdiction:  
26 PROVIDED, That all suits against the public hospital district shall be  
27 brought in the county in which the public hospital district is located.

28 (9) To pay actual necessary travel expenses and living expenses  
29 incurred while in travel status for (a) qualified physicians who are  
30 candidates for medical staff positions, and (b) other qualified persons  
31 who are candidates for superintendent or other managerial and technical  
32 positions, when the district finds that hospitals or other health care  
33 facilities owned and operated by it are not adequately staffed and  
34 determines that personal interviews with said candidates to be held in  
35 the district are necessary or desirable for the adequate staffing of  
36 said facilities.

37 (10) To make contracts, employ superintendents, attorneys, and  
38 other technical or professional assistants and all other employees; to  
39 make contracts with private or public institutions for employee

1 retirement programs; to print and publish information or literature;  
2 and to do all other things necessary to carry out the provisions of  
3 this chapter.

4 **Sec. 57.** RCW 70.95A.040 and 1983 c 167 s 174 are each amended to  
5 read as follows:

6 ~~((1))~~ All bonds issued by a municipality under the authority of  
7 this chapter shall be revenue bonds secured solely by revenues derived  
8 from the lease or sale of the facility. Bonds ~~((and any interest~~  
9 ~~coupons))~~ issued under the authority of this chapter, and the  
10 obligation to make interest and principal redemption payments on these  
11 bonds, shall not constitute nor give rise to a pecuniary liability of  
12 the municipality or a charge against its general credit or taxing  
13 powers. Such limitation shall be plainly stated upon the face of each  
14 of such bonds. The use of the municipality's name on revenue bonds  
15 authorized hereunder shall not be construed to be the giving or lending  
16 of the municipality's financial guarantee or pledge, i.e. credit to any  
17 private person, firm, or corporation as the term credit is used in  
18 Article ~~((8))~~ VIII, section 7 of the Washington state Constitution.

19 ~~((2))~~ The bonds ~~((referred to in subsection (1) of this section,~~  
20 ~~may (a) be executed and delivered at any time and from time to time,~~  
21 ~~(b) be in such form and denominations, (c) be of such tenor, (d) be in~~  
22 ~~bearer or registered form either as to principal or interest or both,~~  
23 ~~as provided in RCW 39.46.030, and may provide for conversion between~~  
24 ~~registered and coupon bonds of varying denominations, (e) be payable in~~  
25 ~~such installments and at such time or times not))~~ shall not have a term  
26 exceeding forty years ~~((from their date, (f) be payable at such place~~  
27 ~~or places, (g) bear interest at such rate or rates as may be determined~~  
28 ~~by the governing body, payable at such place or places within or~~  
29 ~~without this state and evidenced in such manner, (h) be redeemable~~  
30 ~~prior to maturity, with or without premium, and (i) contain such~~  
31 ~~provisions not inconsistent herewith, as shall be deemed for the best~~  
32 ~~interest of the municipality and provided for in the proceedings of the~~  
33 ~~governing body whereunder the bonds shall be authorized to be issued.~~

34 ~~(3) Any bonds issued under the authority of this chapter, may be~~  
35 ~~sold at public or private sale in such manner and at such time or times~~  
36 ~~as may be determined by the governing body to be most advantageous.~~  
37 ~~The municipality may pay all expenses, premiums and commissions which~~  
38 ~~the governing body may deem necessary or advantageous in connection~~

1 with the authorization, sale and issuance thereof from the proceeds of  
2 the sale of said bonds or from the revenues of the facilities.

3 ~~(4) All bonds issued under the authority of this chapter, and any~~  
4 ~~interest coupons applicable thereto shall be investment securities~~  
5 ~~within the meaning of the uniform commercial code and shall be deemed~~  
6 ~~to be issued by a political subdivision of the state.~~

7 ~~(5))~~. The special fund or funds from which revenue bonds are  
8 payable shall be created, and the revenue bonds shall be issued and  
9 sold, in accordance with chapter 39.46 RCW. The proceeds from any  
10 bonds issued under this chapter shall be used only for purposes  
11 qualifying under Section 103(c)(4)(f) of the Internal Revenue Code of  
12 1954, as amended.

13 ~~((6) Notwithstanding subsections (2) and (3) of this section, such~~  
14 ~~bonds may be issued and sold in accordance with chapter 39.46 RCW.))~~

15 **Sec. 58.** RCW 86.09.592 and 1985 c 396 s 78 are each amended to  
16 read as follows:

17 In any instance where the district is using, selling or leasing  
18 water for beneficial purposes or furnishing other service under the  
19 provisions of this chapter and there is reasonable certainty of a  
20 permanent fixed income from this source, the district board, upon  
21 previous written approval of the county legislative authority of the  
22 county within which the major portion of the district is situated,  
23 shall have authority to pledge the revenues derived from a fixed  
24 proportion of the gross income thus obtained and to issue utility  
25 revenue bonds of the district payable from the utility bond fund or  
26 funds and to sell the same to raise money for district purposes. The  
27 special fund or funds from which the utility revenue bonds are payable  
28 shall be created, and the utility revenue bonds shall be issued and  
29 sold, in accordance with chapter 39.46 RCW.

30 **Sec. 59.** RCW 86.15.178 and 1991 c 322 s 10 are each amended to  
31 read as follows:

32 ~~((1))~~ The supervisors may authorize the issuance of revenue bonds  
33 to finance any flood control improvement or storm water control  
34 improvement. The special fund or funds from which revenue bonds are  
35 payable shall be created, and the revenue bonds ((may)) shall be issued  
36 ~~((by the supervisors in the same manner as prescribed in RCW 36.67.510~~  
37 ~~through 36.67.570 pertaining to counties))~~ and sold, in accordance with

1 chapter 39.46 RCW. The revenue bonds shall be issued on behalf of the  
2 zone or participating zones when the improvement has by the resolution,  
3 provided in RCW 86.15.110, been found to be of benefit to a zone or  
4 participating zones. (~~The bonds may be in any form, including bearer~~  
5 ~~bonds or registered bonds.~~

6 ~~Each revenue bond shall state on its face that it is payable from~~  
7 ~~a special fund, naming the fund and the resolution creating the fund.~~

8 ~~Revenue bond principal, interest, and all other related necessary~~  
9 ~~expenses shall be payable only out of the appropriate special fund.)~~

10 A zone or participating zones shall have a lien for delinquent  
11 service charges, including interest thereon, against the premises  
12 benefited by a flood control improvement or storm water control  
13 improvement, which lien shall be superior to all other liens and  
14 encumbrances except general taxes and local and special assessments.  
15 The lien shall be effective and shall be enforced and foreclosed in the  
16 same manner as provided for sewerage liens of cities and towns by RCW  
17 35.67.200 through 35.67.290.

18 (~~(2) Notwithstanding subsection (1) of this section, such bonds~~  
19 ~~may be issued and sold in accordance with chapter 39.46 RCW.))~~

20 **Sec. 60.** RCW 87.28.010 and 1979 ex.s. c 185 s 8 are each amended  
21 to read as follows:

22 The board of directors of any irrigation district in this state  
23 which is furnishing or may furnish irrigation water, domestic water,  
24 electric power, drainage or sewerage services for which rates or tolls  
25 and charges are imposed or contract payments made, or any combination  
26 of such services, shall have authority to issue and sell revenue bonds  
27 and revenue warrants of the district payable from revenues derived from  
28 district rates or tolls and charges or contract payments for such  
29 service or services, and to pledge such revenues from one or more of  
30 such services for the payment and retirement of bonds issued for  
31 irrigation water, domestic water, electric power, and drainage or sewer  
32 improvements: PROVIDED, That nothing in this section shall authorize  
33 a district which is not on March 8, 1973, engaged in providing  
34 electrical service permission to pledge revenue from water and sewer  
35 service to support the issuance of revenue bonds for the acquisition or  
36 construction of electrical power facilities other than those authorized  
37 by RCW 87.03.015(1)(~~, as now or hereafter amended~~). The special fund  
38 or funds from which revenue bonds and revenue warrants are payable

1 shall be created, and the revenue bonds and revenue warrants shall be  
2 issued and sold, in accordance with chapter 39.46 RCW.

3 **Sec. 61.** RCW 87.28.103 and 1979 ex.s. c 185 s 14 are each amended  
4 to read as follows:

5 When the directors of the district have decided to issue revenue  
6 bonds or revenue warrants as herein provided, they shall call a special  
7 election in the irrigation district at which election shall be  
8 submitted to the electors thereof possessing the qualifications  
9 prescribed by law the question whether revenue bonds or revenue  
10 warrants of the district in the amount and payable according to the  
11 plan of payment adopted by the board and for the purposes therein  
12 stated shall be issued. Said election shall be called, noticed,  
13 conducted and canvassed in the same manner as provided by law for  
14 irrigation district elections to authorize an original issue of bonds  
15 payable from revenues derived from annual assessments upon the real  
16 property in the district(~~(: PROVIDED, That)~~). The board of directors  
17 shall have full authority to issue revenue bonds as herein provided  
18 payable within a maximum period of forty years without a special  
19 election(~~(: AND PROVIDED, FURTHER, That)~~). Any irrigation district  
20 indebted to the state of Washington shall get the written consent of  
21 the director of the department of ecology prior to the issuance of said  
22 revenue bonds or revenue warrants.

23 **Sec. 62.** RCW 87.28.150 and 1983 c 167 s 242 are each amended to  
24 read as follows:

25 The board of directors of any irrigation district may, by  
26 resolution, without submitting the matter to the voters of the  
27 district, provide for the issuance of refunding revenue bonds to refund  
28 one or more of the following: Outstanding assessment bonds, revenue  
29 bonds, contracts with the United States or state of Washington, or any  
30 part thereof, and all outstanding local improvement district bonds, at  
31 maturity thereof, or before maturity thereof if they are subject to  
32 call for prior redemption or if all of the owners thereof consent  
33 thereto. The special fund or funds from which refunding revenue bonds  
34 are payable shall be created, and the refunding revenue bonds shall be  
35 issued and sold, in accordance with chapter 39.46 RCW. The refunding  
36 bonds shall be issued in the manner and for the purposes set forth in  
37 chapter 39.53 RCW.

1 Whenever district bonds or contracts payable in whole or part from  
2 assessments have been refunded pursuant to this section, all  
3 assessments remaining unpaid shall thereafter when collected be paid  
4 into the revenue bond redemption fund established for payment of the  
5 refunding revenue bonds, and the cash balances, if any, in the reserve  
6 or guaranty funds for such refunded bonds and the proceeds received  
7 from any other assets owned by such funds shall be used in whole or in  
8 part as a reserve or guaranty fund for the refunding revenue bonds or  
9 be transferred in whole or in part to any other funds of the district  
10 as the board of directors may determine. In the event that any  
11 warrants are outstanding against the local improvement guaranty fund of  
12 the district at the time of the issuance of such refunding revenue  
13 bonds, said bonds shall be issued in an amount sufficient also to fund  
14 and pay such outstanding warrants.

15 **Sec. 63.** RCW 89.30.427 and 1983 c 167 s 254 are each amended to  
16 read as follows:

17 (~~(1)~~) In any instance where the district, general improvement or  
18 divisional district is selling, renting, or leasing water or electric  
19 energy under the provisions of this chapter and there is reasonable  
20 certainty of a permanent fixed income from this source, the district  
21 board shall have authority to create a special fund or funds derived  
22 from a fixed proportion of the gross income thus obtained and to issue  
23 revenue bonds of the district payable from such special fund and to  
24 sell the same to raise revenue for the payment or amortization of the  
25 cost of the construction and/or the operation and maintenance of the  
26 reclamation district or general improvement or divisional district  
27 works and for such other purposes as the state of Washington and/or the  
28 United States may require(~~(:— PROVIDED, That)~~). The special fund or  
29 funds from which revenue bonds are payable shall be created, and the  
30 revenue bonds shall be issued and sold, in accordance with chapter  
31 39.46 RCW.

32 The state of Washington may, through the director of ecology, enter  
33 into a contract with the reclamation district, improvement or  
34 divisional district or districts or the United States to purchase, rent  
35 or lease and to sell or resell and/or distribute all or any part of the  
36 electric energy developed or to be developed at the reclamation,  
37 improvement or divisional district works at a price sufficient to  
38 amortize the cost of power development over a period of fifty years



1 after the completion of such power development and to provide a surplus  
2 sufficient to reduce the cost of reclaiming the lands of the district  
3 or districts within economic limits(~~(:—AND PROVIDED FURTHER, That))~~).  
4 No contract or contracts as in this section provided shall be finally  
5 consummated or become binding in any way whatsoever until the  
6 legislature of the state of Washington in special or regular session  
7 shall approve the same, and provided further in such sale and/or  
8 distribution of power by the director of ecology preference in the  
9 purchase and/or distribution thereof shall be given to municipal  
10 corporations and cooperative associations(~~(:—AND PROVIDED FURTHER,~~  
11 That)). General improvement and divisional districts shall have (in  
12 addition to the powers granted them in chapter 254 of the Session Laws  
13 of 1927 and in this act) the same powers as are given to the  
14 reclamation districts under RCW 89.30.007.

15 ~~((2) Such bonds may be issued and sold in accordance with chapter~~  
16 ~~39.46 RCW.))~~

17 NEW SECTION. Sec. 64. RCW 14.08.118 and 1971 ex.s. c 176 s 1 are  
18 each repealed.

19 NEW SECTION. Sec. 65. The following acts or parts of acts are  
20 each repealed:

21 (1) RCW 35.41.010 and 1971 ex.s. c 223 s 1, 1967 ex.s. c 144 s 12,  
22 & 1965 c 7 s 35.41.010;

23 (2) RCW 35.41.050 and 1983 c 167 s 40 & 1965 c 7 s 35.41.050;

24 (3) RCW 35.41.060 and 1965 c 7 s 35.41.060;

25 (4) RCW 35.41.070 and 1965 c 7 s 35.41.070; and

26 (5) RCW 35.41.090 and 1971 ex.s. c 223 s 4 & 1965 c 7 s 35.41.090.

27 NEW SECTION. Sec. 66. The following acts or parts of acts are  
28 each repealed:

29 (1) RCW 35.67.130 and 1965 c 7 s 35.67.130;

30 (2) RCW 35.67.140 and 1983 c 167 s 59, 1970 ex.s. c 56 s 43, 1969  
31 ex.s. c 232 s 71, & 1965 c 7 s 35.67.140;

32 (3) RCW 35.67.150 and 1983 c 167 s 60 & 1965 c 7 s 35.67.150;

33 (4) RCW 35.67.160 and 1965 c 7 s 35.67.160;

34 (5) RCW 35.67.170 and 1965 c 7 s 35.67.170; and

35 (6) RCW 35.67.180 and 1983 c 167 s 61 & 1965 c 7 s 35.67.180.

1        NEW SECTION.    **Sec. 67.**    The following acts or parts of acts are  
2 each repealed:

3        (1) RCW 35.82.140 and 1983 c 167 s 65, 1977 ex.s. c 274 s 6, 1970  
4 ex.s. c 56 s 45, 1969 ex.s. c 232 s 22, & 1965 c 7 s 35.82.140; and

5        (2) RCW 35.82.150 and 1977 ex.s. c 274 s 7 & 1965 c 7 s 35.82.150.

6        NEW SECTION.    **Sec. 68.**    The following acts or parts of acts are  
7 each repealed:

8        (1) RCW 35.89.020 and 1983 c 167 s 66, 1970 ex.s. c 56 s 46, 1969  
9 ex.s. c 232 s 23, & 1965 c 7 s 35.89.020;

10       (2) RCW 35.89.040 and 1965 c 7 s 35.89.040; and

11       (3) RCW 35.89.080 and 1965 c 7 s 35.89.080.

12       NEW SECTION.    **Sec. 69.**    RCW 35.92.120 and 1965 c 7 s 35.92.120 are  
13 each repealed.

14       NEW SECTION.    **Sec. 70.**    The following acts or parts of acts are  
15 each repealed:

16       (1) RCW 35.97.110 and 1983 c 216 s 11;

17       (2) RCW 35.97.120 and 1983 c 216 s 12; and

18       (3) RCW 35.97.130 and 1983 c 216 s 13.

19       NEW SECTION.    **Sec. 71.**    The following acts or parts of acts are  
20 each repealed:

21       (1) RCW 36.67.500 and 1965 c 142 s 8;

22       (2) RCW 36.67.530 and 1983 c 167 s 80, 1981 c 313 s 13, 1970 ex.s.  
23 c 56 s 50, 1969 ex.s. c 232 s 27, & 1965 c 142 s 3;

24       (3) RCW 36.67.540 and 1983 c 167 s 81 & 1965 c 142 s 4;

25       (4) RCW 36.67.550 and 1965 c 142 s 5;

26       (5) RCW 36.67.560 and 1983 c 167 s 82, 1970 ex.s. c 56 s 51, 1969  
27 ex.s. c 232 s 28, & 1965 c 142 s 6; and

28       (6) RCW 36.67.570 and 1965 c 142 s 7.

29       NEW SECTION.    **Sec. 72.**    The following acts or parts of acts are  
30 each repealed:

31       (1) RCW 36.69.370 and 1983 c 167 s 86 & 1972 ex.s. c 94 s 5;

32       (2) RCW 36.69.380 and 1983 c 167 s 87 & 1972 ex.s. c 94 s 6;

33       (3) RCW 36.69.390 and 1983 c 167 s 88 & 1972 ex.s. c 94 s 7;

34       (4) RCW 36.69.400 and 1983 c 167 s 89 & 1972 ex.s. c 94 s 8; and

1 (5) RCW 36.69.410 and 1972 ex.s. c 94 s 9.

2 NEW SECTION. **Sec. 73.** The following acts or parts of acts are  
3 each repealed:

4 (1) RCW 36.83.060 and 1983 c 130 s 6; and

5 (2) RCW 36.83.070 and 1983 c 130 s 7.

6 NEW SECTION. **Sec. 74.** The following acts or parts of acts are  
7 each repealed:

8 (1) RCW 39.44.070 and 1967 c 107 s 5 & 1923 c 151 s 5; and

9 (2) RCW 39.44.140 and 1983 c 167 s 111 & 1977 ex.s. c 229 s 1.

10 NEW SECTION. **Sec. 75.** RCW 39.48.020 and 1933 ex.s. c 30 s 2 are  
11 each repealed.

12 NEW SECTION. **Sec. 76.** The following acts or parts of acts are  
13 each repealed:

14 (1) RCW 53.34.040 and 1983 c 167 s 134, 1970 ex.s. c 56 s 70, 1969  
15 ex.s. c 232 s 80, & 1959 c 236 s 4;

16 (2) RCW 53.34.050 and 1983 c 167 s 135 & 1959 c 236 s 5;

17 (3) RCW 53.34.070 and 1959 c 236 s 7;

18 (4) RCW 53.34.080 and 1959 c 236 s 8; and

19 (5) RCW 53.34.140 and 1959 c 236 s 14.

20 NEW SECTION. **Sec. 77.** The following acts or parts of acts are  
21 each repealed:

22 (1) RCW 53.40.020 and 1987 c 289 s 2, 1959 c 183 s 2, & 1957 c 59  
23 s 3;

24 (2) RCW 53.40.030 and 1983 c 167 s 137, 1970 ex.s. c 56 s 73, 1969  
25 ex.s. c 232 s 37, 1959 c 183 s 3, & 1957 c 59 s 4;

26 (3) RCW 53.40.040 and 1983 c 167 s 138, 1959 c 183 s 4, 1957 c 59  
27 s 5, & 1949 c 122 s 4;

28 (4) RCW 53.40.050 and 1959 c 183 s 5, 1957 c 59 s 6, & 1949 c 122  
29 s 3;

30 (5) RCW 53.40.110 and 1983 c 167 s 139, 1970 ex.s. c 56 s 74, 1969  
31 ex.s. c 232 s 38, 1959 c 183 s 6, & 1949 c 122 s 9;

32 (6) RCW 53.40.120 and 1957 c 59 s 10;

33 (7) RCW 53.40.135 and 1959 c 183 s 8;

34 (8) RCW 53.40.140 and 1949 c 122 s 10; and

1 (9) RCW 53.40.150 and 1959 c 183 s 9.

2 NEW SECTION. **Sec. 78.** The following acts or parts of acts are  
3 each repealed:

4 (1) RCW 54.24.050 and 1983 c 167 s 149, 1959 c 218 s 6, 1945 c 143  
5 s 2, & 1941 c 182 s 3;

6 (2) RCW 54.24.060 and 1983 c 167 s 150, 1970 ex.s. c 56 s 78, 1969  
7 ex.s. c 232 s 83, 1959 c 218 s 7, & 1941 c 182 s 4;

8 (3) RCW 54.24.080 and 1991 c 347 s 21, 1959 c 218 s 9, & 1941 c 182  
9 s 7; and

10 (4) RCW 54.24.100 and 1983 c 167 s 151, 1981 c 37 s 2, 1959 c 218  
11 s 11, & 1941 c 182 s 9.

12 NEW SECTION. **Sec. 79.** The following acts or parts of acts are  
13 each repealed:

14 (1) RCW 56.16.060 and 1983 c 167 s 156, 1975 1st ex.s. c 25 s 1,  
15 1971 ex.s. c 272 s 4, 1970 ex.s. c 56 s 81, 1969 ex.s. c 232 s 86, 1959  
16 c 103 s 8, & 1941 c 210 s 19;

17 (2) RCW 56.16.065 and 1975 1st ex.s. c 25 s 4;

18 (3) RCW 56.16.070 and 1959 c 103 s 9 & 1941 c 210 s 20;

19 (4) RCW 56.16.080 and 1983 c 167 s 157, 1975 1st ex.s. c 25 s 2,  
20 1970 ex.s. c 56 s 82, & 1941 c 210 s 21;

21 (5) RCW 56.16.085 and 1959 c 103 s 10; and

22 (6) RCW 56.16.130 and 1983 c 167 s 158 & 1941 c 210 s 45.

23 NEW SECTION. **Sec. 80.** The following acts or parts of acts are  
24 each repealed:

25 (1) RCW 57.20.023 and 1959 c 108 s 12; and

26 (2) RCW 57.20.027 and 1975 1st ex.s. c 25 s 5.

27 NEW SECTION. **Sec. 81.** The following acts or parts of acts are  
28 each repealed:

29 (1) RCW 86.09.595 and 1937 c 72 s 199;

30 (2) RCW 86.09.598 and 1985 c 396 s 79, 1983 c 167 s 207, 1970 ex.s.  
31 c 56 s 94, 1969 ex.s. c 232 s 45, & 1937 c 72 s 200; and

32 (3) RCW 86.09.616 and 1937 c 72 s 206.

33 NEW SECTION. **Sec. 82.** The following acts or parts of acts are  
34 each repealed:

- 1 (1) RCW 87.28.015 and 1983 c 167 s 236 & 1979 ex.s. c 185 s 18;  
2 (2) RCW 87.28.020 and 1983 c 167 s 237, 1979 ex.s. c 185 s 9, 1973  
3 c 74 s 2, 1970 ex.s. c 56 s 99, 1969 ex.s. c 232 s 58, & 1949 c 57 s 2;  
4 (3) RCW 87.28.030 and 1979 ex.s. c 185 s 10, 1973 c 74 s 3, & 1949  
5 c 57 s 3;  
6 (4) RCW 87.28.035 and 1979 ex.s. c 185 s 11 & 1949 c 57 s 4;  
7 (5) RCW 87.28.040 and 1983 c 167 s 238, 1979 ex.s. c 185 s 12, &  
8 1949 c 57 s 5;  
9 (6) RCW 87.28.070 and 1983 c 167 s 239, 1970 ex.s. c 56 s 100, 1969  
10 ex.s. c 232 s 59, & 1949 c 57 s 6;  
11 (7) RCW 87.28.100 and 1983 c 167 s 240, 1979 ex.s. c 185 s 13, &  
12 1949 c 57 s 8;  
13 (8) RCW 87.28.108 and 1979 ex.s. c 185 s 21; and  
14 (9) RCW 87.28.110 and 1983 c 167 s 241 & 1949 c 57 s 11.

15 NEW SECTION. **Sec. 83.** The following acts or parts of acts are  
16 each repealed:

- 17 (1) RCW 89.30.430 and 1927 c 254 s 144; and  
18 (2) RCW 89.30.433 and 1983 c 167 s 255, 1981 c 156 s 33, 1933 c 149  
19 s 16, & 1927 c 254 s 145.

20 NEW SECTION. **Sec. 84.** This act shall not be construed as  
21 affecting any existing right acquired or liability or obligation  
22 incurred under the sections amended or repealed in this act or under  
23 any rule or order adopted under those sections, nor as affecting any  
24 proceeding instituted under those sections.

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