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HOUSE BILL 1298

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State of Washington

53rd Legislature

1993 Regular Session

By Representatives G. Cole, Brough, Flemming, Dorn, Peery, Karahalios, Pruitt, Rust, Cothorn, Jones, Long, Chappell, Holm, Eide, Linville, Johanson, Foreman, Riley, J. Kohl, Springer, Cooke, Wood, Lemmon, Jacobsen, Wang, Leonard, Carlson, Brumsickle, Thomas, H. Myers, Rayburn and Orr; by request of Washington State School Directors Association, Board of Education and Superintendent of Public Instruction

Read first time 01/22/93. Referred to Committee on Education.

1 AN ACT Relating to school district and library district elections;  
2 amending RCW 28A.530.020, 28A.535.020, 28A.535.050, 84.52.056, and  
3 27.12.222; and providing a contingent effective date.

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

5 **Sec. 1.** RCW 28A.530.020 and 1990 c 33 s 478 are each amended to  
6 read as follows:

7 The question whether the bonds shall be issued, as provided in RCW  
8 28A.530.010, shall be determined at an election to be held pursuant to  
9 RCW 39.36.050. If a majority of the votes cast at such election favor  
10 the issuance of such bonds, the board of directors must issue such  
11 bonds(~~(: PROVIDED, That if the amount of bonds to be issued, together~~  
12 ~~with any outstanding indebtedness of the district that only needs a~~  
13 ~~simple majority voter approval, exceeds three-eighths of one percent of~~  
14 ~~the value of the taxable property in said district, as the term "value~~  
15 ~~of the taxable property" is defined in RCW 39.36.015, then three-fifths~~  
16 ~~of the votes cast at such election must be in favor of the issuance of~~  
17 ~~such bonds, before the board of directors is authorized to issue said~~  
18 ~~bonds)).~~

1       **Sec. 2.** RCW 28A.535.020 and 1990 c 33 s 481 are each amended to  
2 read as follows:

3       Whenever the board of directors of any school district shall deem  
4 it advisable to validate and ratify the indebtedness mentioned in RCW  
5 28A.535.010, they shall provide therefor by resolution, which shall be  
6 entered on the records of such school district, which resolution shall  
7 provide for the holding of an election for the purpose of submitting  
8 the question of validating and ratifying the indebtedness so incurred  
9 to the voters of such school district for approval or disapproval, and  
10 if at such election (~~((three-fifths))~~) a majority of the voters in such  
11 school district voting at such election shall vote in favor of the  
12 validation and ratification of such indebtedness, then such  
13 indebtedness so validated and ratified and every part thereof existing  
14 at the time of the adoption of said resolution shall thereby become and  
15 is hereby declared to be validated and ratified and a binding  
16 obligation upon such school district.

17       **Sec. 3.** RCW 28A.535.050 and 1984 c 186 s 14 are each amended to  
18 read as follows:

19       If the indebtedness of such school district is validated and  
20 ratified, as provided in this chapter, by (~~((three-fifths))~~) a majority  
21 of the voters voting at such election, the board of directors of such  
22 school district, without any further vote, may borrow money and issue  
23 and sell negotiable bonds therefor in accordance with chapter 39.46  
24 RCW.

25       **Sec. 4.** RCW 84.52.056 and 1973 1st ex.s. c 195 s 104 are each  
26 amended to read as follows:

27       Any municipal corporation otherwise authorized by law to issue  
28 general obligation bonds for capital purposes may, at an election duly  
29 held after giving notice thereof as required by law, authorize the  
30 issuance of general obligation bonds for capital purposes only, which  
31 shall not include the replacement of equipment, and provide for the  
32 payment of the principal and interest of such bonds by annual levies in  
33 excess of the tax limitations contained in RCW 84.52.050 to 84.52.056,  
34 inclusive and RCW 84.52.043. Such an election shall not be held  
35 oftener than twice a calendar year, and the proposition to issue any  
36 such bonds and to exceed said tax limitation must receive the  
37 affirmative vote of a three-fifths majority of those voting on the

1 proposition and the total number of persons voting at such election  
2 must constitute not less than forty percent of the voters in said  
3 municipal corporation who voted at the last preceding general state  
4 election, except that school districts and library districts may have  
5 issuance of general obligation bonds for capital purposes authorized by  
6 a majority or those voting at such election.

7 Any taxing district shall have the right by vote of its governing  
8 body to refund any general obligation bonds of said district issued for  
9 capital purposes only, and to provide for the interest thereon and  
10 amortization thereof by annual levies in excess of the tax limitations  
11 provided for in RCW 84.52.050 to 84.52.056, inclusive and RCW  
12 84.52.043.

13 **Sec. 5.** RCW 27.12.222 and 1984 c 186 s 8 are each amended to read  
14 as follows:

15 A rural county library district, intercounty rural library  
16 district, or island library district may contract indebtedness and  
17 issue general obligation bonds not to exceed an amount, together with  
18 any outstanding nonvoter approved general obligation indebtedness,  
19 equal to one-tenth of one percent of the value of the taxable property  
20 within the district, as the term "value of the taxable property" is  
21 defined in RCW 39.36 015. The maximum term of nonvoter approved  
22 general obligation bonds shall not exceed six years. A rural county  
23 library district, island library district, or intercounty rural library  
24 district may additionally contract indebtedness and issue general  
25 obligation bonds for capital purposes only, together with any  
26 outstanding general indebtedness, not to exceed an amount equal to one-  
27 half of one percent of the value of the taxable property within the  
28 district, as the term "value of the taxable property" is defined in RCW  
29 39.36.015 whenever a proposition authorizing the issuance of such bonds  
30 has been approved by the voters of the district pursuant to RCW  
31 39.36.050, by ~~((three-fifths))~~ a majority of the persons voting on the  
32 proposition ~~((at which election the number of persons voting on the~~  
33 ~~proposition shall constitute not less than forty percent of the total~~  
34 ~~number of votes cast in such taxing district at the last preceding~~  
35 ~~general election))~~). If the voters shall so authorize at an election  
36 held pursuant to RCW 39.36.050, the district may levy annual taxes in  
37 excess of normal legal limitations to pay the principal and interest  
38 upon such bonds as they shall become due. The excess levies mentioned

1 in this section or in RCW 84.52.052 or 84.52.056 may be made  
2 notwithstanding anything contained in RCW 27.12.050 or 27.12.150 or any  
3 other statute pertaining to such library districts.

4 NEW SECTION. **Sec. 6.** This act shall take effect when the proposed  
5 amendment to Article VII, section 2 and Article VIII, section 6 of the  
6 state Constitution providing for a simple majority of electors voting  
7 to authorize school district and library district levies and bonds is  
8 validly submitted to and is approved and ratified by the voters at the  
9 next general election and certified by the secretary of state. If the  
10 proposed amendment is not so approved, ratified, and certified, this  
11 act is void in its entirety.

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