majority vote in the primary be printed on the general election ballot. 1969 ex.s. c 221 § 11 changed "judges" to "justices" of the supreme court, and added "judges of the court of appeals" in the first proviso, and also added the proviso at the end of the section. 1969 ex.s. c 283 § 57 (expressly amending 1969 ex.s. c 176 § 89) added directors of first class school districts to the first proviso.

As these amendments appear to be in different respects, the purpose of this bill is to give effect to all of them by reenacting the section with the amendments included in it.

Sec. 2. RCW 29.21.180 was amended three times during the 1969 regular and extraordinary sessions. 1969 c 131 § 1 excepted first class school districts having an enrollment of 70,000 or more in class AA counties from the provision that no primary be held when no more than two candidates file for each position to be filled. 1969 ex.s. c 176 § 90 (which was expressly amended by 1969 ex.s. c 283 § 58) deleted county superintendent of schools from the section. 1969 ex.s. c 283 § 58 (expressly amending 1969 ex.s. c 176 § 90) added the same exception relating to certain first class school districts as 1969 c 131 § 1, and also changed "officers of school districts embracing a city of over one hundred thousand population" to "officers of other first class school districts".

As these amendments appear to be in different respects, the purpose of this bill is to give effect to each by reenacting the section with the amendments included in it.

Passed the House January 27, 1970
Passed the Senate February 4, 1970
Approved by the Governor February 12, 1970
Filed in Office of Secretary of State February 12, 1970

CHAPTER 11
[House Bill No. 37]
METROPOLITAN MUNICIPAL CORPORATIONS--
CODE CORRECTIONS


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

Section 1. Section 35.58.450, chapter 7, Laws of 1965 as last amended by section 16, chapter 232, Laws of 1969 ex. sess., and by [73]
section 17, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.450 are each reenacted to read as follows:

Notwithstanding the limitations of chapter 39.36 RCW and any other statutory limitations otherwise applicable and limiting municipal debt, a metropolitan municipal corporation shall have the power to authorize and to issue general obligation bonds and to pledge the full faith and credit of the corporation to the payment thereof, for any authorized capital purpose of the metropolitan municipal corporation: PROVIDED, That a proposition authorizing the issuance of any such bonds to be issued in excess of one and one-half percent of the actual value of the taxable property therein as ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness shall have been submitted to the electors of the metropolitan municipal corporation at a special election and assented to by three-fifths of the persons voting on said proposition at said election at which such election the total number of persons voting on such bond proposition shall constitute not less than forty percent of the total number of votes cast within the area of said metropolitan municipal corporation at the last preceding state general election. Such general obligation bonds may be authorized in any total amount in one or more propositions and the amount of such authorization may exceed the amount of bonds which could then lawfully be issued. Such bonds may be issued in one or more series from time to time out of such authorization but at no time shall the total general indebtedness of the metropolitan municipal corporation exceed five percent of the actual value of the taxable property therein to be ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness. Both principal of and interest on such general obligation bonds shall be payable from annual tax levies to be made upon all the taxable property within the metropolitan municipal corporation in excess of the forty mill tax limit and may also be made payable from any other taxes or any special assessments which the metropolitan municipal corporation may
be authorized to levy and from any otherwise unpledged revenue which may be derived from the ownership or operation of properties or facilities incident to the performance of the authorized function for which such bonds are issued. The metropolitan council may include in the principal amount of such bond issue an amount for engineering, architectural, planning, financial, legal, urban design and other services incident to acquisition or construction solely for authorized capital purposes and may include an amount to establish a guaranty fund for revenue bonds issued solely for capital purposes.

General obligation bonds shall bear interest at a rate of not to exceed eight percent per annum and shall mature in not to exceed forty years from the date of issue. The various annual maturities shall commence not more than five years from the date of issue of the bonds and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds of such issue, be met by equal annual tax levies.

Such bonds shall be signed by the chairman and attested by the secretary of the metropolitan council, one of which signatures may be a facsimile signature and the seal of the metropolitan corporation shall be impressed or imprinted thereon. Each of the interest coupons shall be signed by the facsimile signatures of said officials. General obligation bonds shall be sold at public sale as provided by law for sale of general obligation bonds of cities of the first class and at a price not less than par and accrued interest.

Sec. 2. Section 35.58.460, chapter 7, Laws of 1965 as last amended by section 17, chapter 232, Laws of 1969 ex. sess., and by section 18, chapter 255, Laws of 1969 ex. sess., and RCW 35.58.460 are each reenacted to read as follows:

A metropolitan municipal corporation may issue revenue bonds to provide funds to carry out its authorized metropolitan sewage disposal, water supply, garbage disposal or transportation purposes, without submitting the matter to the voters of the metropolitan municipal corporation. The metropolitan council shall create a special
fund or funds for the sole purpose of paying the principal of and
interest on the bonds of each such issue, into which fund or funds
the metropolitan council may obligate the metropolitan municipal cor-
poration to pay such amounts of the gross revenue of the particular
utility constructed, acquired, improved, added to, or repaired out
of the proceeds of sale of such bonds, as the metropolitan council
shall determine and may obligate the metropolitan municipal corpora-
tion to pay such amounts out of otherwise unpledged revenue which may
be derived from the ownership, use or operation of properties or fa-
cilities owned, used or operated incident to the performance of the
authorized function for which such bonds are issued or out of other-
wise unpledged fees, tolls, charges, tariffs, fares; rentals, special
taxes or other sources of payment lawfully authorized for such pur-
pose, as the metropolitan council shall determine. The principal of,
and interest on, such bonds shall be payable only out of such special
fund or funds, and the owners and holders of such bonds shall have a
lien and charge against the gross revenue of such utility or any
other revenue, fees, tolls, charges, tariffs, fares, special taxes
or other authorized sources pledged to the payment of such bonds.

Such revenue bonds and the interest thereon issued against
such fund or funds shall be a valid claim of the holders thereof only
as against such fund or funds and the revenue pledged therefor, and
shall not constitute a general indebtedness of the metropolitan mu-
nicipal corporation.

Each such revenue bond shall state upon its face that it is
payable from such special fund or funds, and all revenue bonds is-
sued under this chapter shall be negotiable securities within the
provisions of the law of this state. Such revenue bonds may be reg-
istered either as to principal only or as to principal and interest,
or may be bearer bonds, shall be in such denominations as the metro-
politan council shall deem proper; shall be payable at such time or
times and at such places as shall be determined by the metropolitan
council; shall bear interest at such rate or rates as shall be de-
termined by the metropolitan council, shall be signed by the chair-
man and attested by the secretary of the metropolitan council, one
of which signatures may be a facsimile signature, and the seal of
the metropolitan municipal corporation shall be impressed or im-
printed thereon; each of the interest coupons shall be signed by the
facsimile signatures of said officials.

Such revenue bonds shall be sold in such manner as the metro-
politan council shall deem to be for the best interests of the metro-
politan municipal corporation, either at public or private sale. The
aggregate interest cost to maturity of the money received for such
revenue bonds shall not exceed eight percent per annum.

The metropolitan council may at the time of the issuance of
such revenue bonds make such covenants with the purchasers and
holders of said bonds as it may deem necessary to secure and guaran-
tee the payment of the principal thereof and the interest thereon,
including but not being limited to covenants to set aside adequate
reserves to secure or guarantee the payment of such principal and
interest, to maintain rates sufficient to pay such principal and in-
terest and to maintain adequate coverage over debt service, to appoint
a trustee or trustees for the bondholders to safeguard the expendi-
ture of the proceeds of sale of such bonds and to fix the powers and
duties of such trustee or trustees and to make such other covenants
as the metropolitan council may deem necessary to accomplish the most
advantageous sale of such bonds. The metropolitan council may also
provide that revenue bonds payable out of the same source may later
be issued on a parity with revenue bonds being issued and sold.

The metropolitan council may include in the principal amount
of any such revenue bond issue an amount to establish necessary re-
serves, an amount for working capital and an amount necessary for
interest during the period of construction of any such metropolitan
facilities plus six months. The metropolitan council may, if it
deems it to the best interest of the metropolitan municipal corpora-
tion, provide in any contract for the construction or acquisition of
any metropolitan facilities or additions or improvements thereto or
replacements or extensions thereof that payment therefor shall be
made only in such revenue bonds at the par value thereof.

If the metropolitan municipal corporation shall fail to carry
out or perform any of its obligations or covenants made in the au-
thorization, issuance and sale of such bonds, the holder of any such
bond may bring action against the metropolitan municipal corporation
and compel the performance of any or all of such covenants.

NEW SECTION. Sec. 3. This act is necessary for the immediate
preservation of the public peace, health and safety, the support of
the state government and its existing public institutions, and shall
take effect immediately.

EXPLANATORY NOTE

Section 1. RCW 35.58.450 was amended twice by the
1969 extraordinary session of the legislature. 1969 ex.s.
c 232 § 16 changed the interest rate for general obliga-
tion bonds from six to eight percent per annum. 1969 ex.
s. c 255 § 17 added to the provision relating to the
submission to the electors of a proposition authoriz-
ing the issuance of general obligation bonds "to be
issued in excess of one and one-half percent of the
actual value of the taxable property therein as as-
certained by the last assessment for state and county
purposes previous to the incurring of such indebted-
ness". It also provided that the principal and in-
terest on such bonds may also be made payable from
"other taxes or any special assessments which the
metropolitan municipal corporation may be authorized
to levy". The interest rate was changed from six to
eight percent as in the amendment by 1969 ex.s. c 232
§ 16; and provision was made that the seal of the
metropolitan municipal corporation may be impressed
"or imprinted" on the bonds.

As there appears to be no conflict between these
amendments, the purpose of this bill is to clarify the
legislative history of each by reenacting the sections
with each amendment in it.

Sec. 2. RCW 35.58.460 was amended twice by the
1969 extraordinary session. 1969 ex.s. c 232 § 17
changed the aggregate interest cost to maturity of
money received for revenue bonds from seven percent
per annum to eight percent per annum. 1969 ex.s. c
255 § 18 made the same change in interest cost as
1969 ex.s. c 232 § 17, and also authorized payment of
the principal and interest on revenue bonds from certain
otherwise unpledged revenue, fees, tolls, etc., and that
the owners and holders of such bonds shall have a lien
against said unpledged sources.

As there appears to be no conflict between the
two amendments, the purpose of this bill is to clarify
the legislative history of each by reenacting the sec-
AN ACT Relating to state government; reenacting section 2, chapter 1, Laws of 1961 as last amended by section 6, chapter 45, Laws of 1969, and by section 21, chapter 36, Laws of 1969 ex. sess., and RCW 41.06.020; reenacting section 8, chapter 1, Laws of 1961 as amended by section 5, chapter 45, Laws of 1969, and by section 2, chapter 152, Laws of 1969 ex. sess. and RCW 41-06.080; and declaring an emergency.

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

Section 1. Section 2, chapter 1, Laws of 1961 as last amended by section 6, chapter 45, Laws of 1969, and by section 21, chapter 36, Laws of 1969 ex. sess. and RCW 41.06.020 are each reenacted to read as follows:

Unless the context clearly indicates otherwise, the words used in this chapter have the meaning given in this section.

(1) "Agency" means an office, department, board, commission or other separate unit or division, however designated, of the state government and all personnel thereof; it includes any unit of state government established by law, the executive officer or members of which are either elected or appointed, upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature;

(2) "Board" means the state personnel board established under the provisions of RCW 41.06.110, except that this definition does not apply to the words "board" or "boards" when used in RCW 41.06.070;

(3) "Classified service" means all positions in the state service subject to the provisions of this chapter;

(4) "Competitive service" means all positions in the classi-