

CHAPTER 103.

[Senate Bill No. 491.]

COMMUNITY COLLEGE DEVELOPMENT DISTRICTS.

AN ACT relating to education; providing for the creation of community college development districts; providing for elections; prescribing powers and duties in relation thereto; providing for acquisition of property; appointing directors and prescribing terms of office; providing for special assessments; and adding a new chapter to Title 28 RCW.

Be it enacted by the Legislature of the State of Washington:

New chapter.

Section 1. There is added to Title 28 RCW a new chapter as set forth in sections 2 through 13 of this act.

Community college development districts—Authorized—Qualifications.

Sec. 2. Any area served by a community college district which also contains extensive buildings, facilities and property suitable for meeting the needs of the district, which are available to the district because of the closure of a major United States Air Force base formerly used by the strategic air command of the United States Air Force, shall be eligible to become a community college development district (herein "development district" or "district").

Purpose, proper for assessment purposes.

Sec. 3. Education has long been recognized as a means of advancing not only the cultural standards of the community, but also to raise the economic standards as well. The development of community college facilities located within a reasonable distance of the lands of the development district and designed to meet the economic needs of the development district, has a direct economic benefit to property values of such district, as well as to the people living within the district. Because the philosophy of the community college is directly geared to meet the needs of the community and because of the afore-said special benefit to property, it is proper to allow

the area served by the development district to provide some of the funds needed for development and operation through assessments on property located within the district by means of the petitioning and voting procedures described in this act.

Sec. 4. Whenever fifty of the holders of title to, or of evidence of title to land that could be benefited by the services and facilities, training and information that could be supplied by a development district, desire to organize a development district for any or all of the purposes mentioned in chapter 28.84 RCW, they may propose the organization of a community college development district in the manner provided herein; and when so organized such district shall have all the powers that may now or hereafter be conferred by law.

Organizers—
Powers upon
organization.

Sec. 5. A development district may be organized or maintained for any or all of the following purposes:

Purposes for
which district
may be
organized.

(1) To provide funds to help enable any community college located within the district to develop and operate buildings, facilities and property acquired from the United States of America when the federal government has closed down a major United States Air Force base formerly operated by the strategic air command.

(2) The performance of all things necessary to enable the district to exercise the powers herein expressly or impliedly granted.

Sec. 6. For the purpose of organizing a development district, a petition, signed by the required number of holders of title or evidence of title to land within the proposed district, shall be presented to the board of county commissioners of the county in which the proposed district or the greater portion thereof, is situated, which petition shall contain the following:

Petition to
organize.

Community
college
development
districts—
Organization
procedure—
Hearing—
Election—
Boundaries—
Name.

(1) A description of the lands to be included in the operation of the district, in legal subdivisions or fractions thereof, and the name of the county or counties in which said lands are situated.

(2) The signature and post office address of each petitioner, together with the legal description of the particular lands within the proposed district owned by said respective petitioners.

(3) A general statement of the probable location of the community college facilities, either existing or planned, and a brief outline of the plan of improvements contemplated by the organization of the district.

(4) A statement of the number of directors, either three or five, desired for the administration of the district and of the name by which the petitioners desire the district to be designated.

(5) Any other matter deemed material.

(6) A prayer requesting the board to take the steps necessary to organize the district.

The petition must be accompanied by a good and sufficient bond, to be approved by the board of county commissioners, in double the amount of the probable cost of organizing the district, and conditioned that the bondsmen will pay all of the costs in case such organization shall not be effected. Said petition shall be presented at a regular meeting of the said board, or at any special meeting ordered to consider and act upon said petition, and shall be published once a week, or at least two weeks (three issues) before the time at which the same is to be presented, in some newspaper of general circulation printed and published in the county or counties where said petition is to be presented, together with a notice signed by the clerk of the board of county commissioners stating the time of the meeting at which the same will be presented. The board shall, in addition to publishing as provided herein, cause a

copy of the notice to be mailed to the address for each parcel of property located within the district as set forth in the property rolls of each county treasurer's office servicing land within the district. However, failure to receive actual notice shall not exempt any land or property from being included in the district.

In the event that the boundaries of the contemplated development district lie within more than one county, the petition shall be presented in the same manner before the board of county commissioners of each county and the procedures for notice and publication prescribed for one county shall be followed in each county. However, the time of hearing shall be arranged so that the county commissioners from the county which has the smallest area of the proposed district may attend the hearing in the other county, if they should so desire. The said notice, together with a map of the district, shall also be served by registered mail at least thirty days before the said hearing upon the chief educational officer for community colleges at Olympia, Washington, who shall, at the expense of the district in case it is later organized, otherwise at the expense of the petitioners' bondsmen, make such investigation of the proposed plans of the community college development district as he may deem necessary, and file a report of his findings together with a statement of his costs, with the board of county commissioners at or prior to the time or times set for said hearing or hearings.

When the petition is presented, the board of county commissioners of the county containing the largest area of the proposed district shall hear the same, shall receive such evidence as it may deem material, and may adjourn such hearing from time to time, not exceeding four weeks in all, and on the final hearing shall, if it deems it advisable, establish

Community
college
development
districts—
Organization
procedure—
Hearing—
Election—
Boundaries—
Name.

and define the boundaries of the district along such lines as in the judgment of the board will best benefit the lands involved and enter an order to that effect: *Provided*, That no lands shall be included in the district which in the judgment of the board will not be benefited. At said final hearing, the board shall also give the district a name and shall order that an election be held therein for the purpose of determining whether or not the district shall be organized under the provisions of this act, and for the purpose of electing directors.

The clerk of the board of county commissioners shall then give notice of the election ordered to be held as aforesaid, which notice shall describe the district boundaries as established, and shall give the name by which said proposed district has been designated, and shall state the purposes and objects of said election, and shall be published once a week, for at least two weeks (three issues) prior to said election, in a newspaper of general circulation published in the county or counties where the petition aforesaid was presented; and if any portion of said proposed district lies within another county or counties, then said notice shall be published by the clerk of each board of county commissioners in a newspaper within each of said counties. Said election notice shall also require the electors to cast ballots which shall contain the words "Community College Development District—Yes", and "Community College Development District—No", and also the names of persons to be voted for as directors of the district: *Provided*, That where in this act publication is required to be made in a newspaper of any county, the same may be made in a newspaper of general circulation in such county, selected by the person or body charged with making the publication and such newspaper shall be the official paper for such purpose. After the district boundaries have

been established by the board of county commissioners, the commissioners shall, in addition to publishing as provided herein, cause a copy of the notice to be mailed to the address for each parcel of property located within the proposed district as set forth in the property rolls of each county treasurer's office servicing land within the district. However, failure to receive actual notice shall not exempt any land or property from being included in the district.

Sec. 7. All elections on the question of organizing development districts, whether general or special, for any district purpose and in any county of the state, shall be called, noticed, and conducted in accordance with the laws of the state relating to the elections of the boards of county commissioners except that the following specific requirements as to electors shall determine who shall be eligible to vote.

Election
procedure.

If the proposed district boundaries lie in more than one county, the majority of county commissioners in each county may call for a joint election, and thereafter the election shall be called, noticed and conducted and the votes canvassed, jointly.

Sec. 8. Any question as to the formation of a district, or the election of directors, or any other question brought up for a vote, shall be decided by a majority vote of the electors actually casting their ballots at the time of the election.

Election—
Determination
of results.

Sec. 9. The development district shall continue for four years if voted into existence by a majority of the electors in the proposed boundaries. After four years, the county auditors in the county or counties who conducted the first election shall call and conduct new elections and shall give notice by publishing and mailing a notice of election as was done for the original election. If the electors then vote against continuance of the district, the district

Duration of
districts—
Election to
continue or
abolish—
Procedure,
notice.

shall be abolished. If a majority of the electors vote for continued existence of the district, the district shall continue indefinitely with all of its rights, duties, and powers, unless abolished at an election called, noticed, and conducted as the organizational election.

Community
college
development
districts—
Elections—
Persons en-
titled to vote—
Conduct—
Auditor,
compensation.

Sec. 10. Only owners of real property shall be entitled to vote. The owner shall be deemed to be the person who has, or is acquiring title to real property located in the district, and who would be required to pay any assessments levied, to avoid losing his title to the property. Owners of property shall be entitled to register with the county auditor of the county or counties having land included in the petition for organization, or, for later voting, shall have land within the district. The county auditor or auditors shall open the registration books sixty days prior to the date of any election called by the county commissioners, or later, by the directors of the district, once the district is formed. The county auditor or auditors shall keep the registration books open during regular business hours for a period of thirty days and close said books at least twenty-eight days prior to the date of the election. Each person registering as an elector eligible to vote in any district election shall bring some evidence of title of land owned, and including a description of the property owned. The county auditor shall note the name and land described and cause the person registering to sign an oath that he has, or is, acquiring title to said described real estate and is entitled to vote thereon. The county auditor shall be entitled to rely on the sworn information provided, without checking the chain of title. The person so registering shall be entitled to vote at the election called for the organization of a development district. A like registration shall be held at any future election called for such purpose. The county auditor shall conduct any

such election and shall be given reasonable compensation for his, or their, services by the bondsmen, or the district, if it is formed.

Sec. 11. The directors of the development district shall be the same as the directors of any community college district which may be formed within all or any part of the land included in the development district. The directors shall retain all prior rights and authority heretofore granted to them, or hereafter granted to them, as directors of the community college district, under any law of the state of Washington now passed, or passed in the future. The directors of the development district shall also have the authority to build, repair, improve, replace, and operate any buildings, facilities or equipment located on land acquired from the United States government and which had formerly been used as a United States Air Force base by the strategic air command of the United States Air Force. In particular, the directors shall be enabled to use said buildings, property, and facilities, for classrooms, dormitories, eating facilities, and any other purpose suitable for carrying out the development district's program.

**Directors—
Powers and
duties.**

Sec. 12. The directors of the development district shall be empowered to specially assess land located in the district for the benefits thereto, taking as a base the last equalized assessment for county purposes: *Provided*, That such assessment shall not exceed one mill upon said assessed valuation without securing authorization by vote of the electors of the district in an election held for that purpose. The directors shall give notice of such an election, for the time and in the manner and form provided, for development district elections. The manner of conducting the voting at such an election, opening and closing the polls, canvassing the votes, certifying the

**Special
assessments,
limitation on—
Collection—
Excess levies,
election.**

returns, and declaring the results, shall be the same as the elections for the board of county commissioners, except as specifically modified by law.

The special assessment provided for herein shall be due and payable at such time and in such amounts as designated by the district directors, which designation shall be made to the county auditor in writing, and the amount so designated shall be added to the general taxes and entered upon the assessment rolls in his office and collected therewith.

Emergency.

Sec. 13. 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.

Construction.

Sec. 14. Nothing in this act shall be construed as causing a community college district to become a taxing district or a municipal corporation, and nothing herein shall be construed to allow any contractual agreements which would prevent any change in the boundaries of any community college district.

Passed the Senate March 1, 1967.

Passed the House March 7, 1967.

Approved by the Governor March 20, 1967.