

CHAPTER 234.

[S. B. 311.]

PUBLIC SCHOOL PLANT FACILITIES—FINANCING.

AN ACT relating to education; providing funds for the construction of public school plant facilities; authorizing the issuance and sale of limited obligation bonds of the state and providing ways and means to pay said bonds; continuing the imposition of taxes; prescribing the powers and duties of certain officers; making an appropriation; and declaring an emergency.

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

Bond issue for construction of school plant facilities. Authorization—Form, term, etc.—Continuation of levy.

SECTION 1. For the purpose of furnishing funds for state assistance in providing public school plant facilities, there shall be issued and sold, at any time prior to April 1, 1961, limited obligation bonds of the state of Washington in the sum of fifty-two million dollars to be paid and discharged not more than thirty years after the date of issuance. The issuance, sale, and retirement of said bonds shall be under the general supervision and control of the state finance committee.

The state finance committee is authorized to prescribe the forms of such bonds; the provisions of sale of all or any portion or portions of such bonds; the terms, provisions, and covenants of said bonds; and the sale, issuance, and redemption thereof. None of the bonds herein authorized shall be sold for less than the par value thereof, nor shall they bear interest at a rate in excess of four percent per annum. Such bonds shall state distinctly that they shall not be a general obligation of the state of Washington, but shall be payable in the manner and from the proceeds of motor vehicle excise taxes and excise taxes upon the sale, use, consumption, handling or distribution of cigarettes as in this act provided. As a part of the contract of sale of the aforesaid bonds, the state undertakes to con-

tinue to levy the taxes referred to herein and to fix and maintain said taxes in such amounts as will provide sufficient funds to pay said bonds and interest thereon until all such obligations have been paid in full.

The committee may provide that the bonds, or any of them, may be called prior to the maturity date thereof under such terms, conditions, and provisions as it may determine and may authorize the use of facsimile signatures in the issuance of such bonds and upon any coupons attached thereto. Such bonds shall be payable at such places as the state finance committee may provide.

SEC. 2. The proceeds from the sale of the bonds authorized herein shall be deposited in the public school building construction account of the general fund.

Proceeds from
bond sale—
Deposit.

SEC. 3. The state finance committee shall, on or before June thirtieth of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet interest payments on and retirement of bonds authorized by this act. The state treasurer shall thereupon deposit in the public school building bond redemption fund—1957, a fund hereby created in the state treasury as the depository for revenues provided by this act to meet interest payments on and retirement of bonds authorized by this act, the sum of two million two hundred fifty thousand dollars from that portion of receipts from the motor vehicle excise tax allocable to the state school equalization fund under RCW 82.44.150 which is not required to meet interest payments on and retirement of bonds heretofore issued. The amount certified to the state treasurer by the state finance committee as aforesaid shall be a first and prior charge, subject only to amounts previously pledged for the payment of interest on and retirement of bonds heretofore issued, against all motor vehicle

Public school
building bond
redemption
fund—1957,
created—
Bonds payable
from motor
vehicle excise
tax and ciga-
rette tax.

Bond issue for
construction of
school plant
facilities.
Payment.

excise tax revenues of the state allocable to the state equalization fund, which amounts so allocable shall never be less than seventy percent of said excise tax revenues. In addition, the state treasurer shall transfer to the bond redemption fund created by this act all revenues accruing to the public schools building bond redemption fund in conformity with the requirements of RCW 28.47.440 enacted by the 1955 legislature whenever such revenues from all sources during any one year exceed two million two hundred fifty thousand dollars, said sum being the amount required to be retained in the aforesaid public schools building bond redemption fund under the provisions of RCW 28.47.440. The amounts so deposited in and transferred to the bond redemption fund created by this act shall be devoted exclusively to the payment of interest on and to the retirement of bonds authorized by this act: *Provided*, That whenever the receipts into said bond redemption fund from all sources during any one year exceed the amount needed during that year to meet interest payments on and retirement of bonds authorized by this act, all receipts above said amount shall be transferred by the state treasurer to the state general fund.

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Legislature
may provide
additional
means of
revenue.

SEC. 4. The legislature may provide additional means for raising funds for the payment of the interest and principal of the bonds authorized by this act and this act shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section is permissive and shall not be construed to constitute a pledge of the general credit of the state of Washington.

SEC. 5. The bonds herein authorized shall be fully negotiable instruments and shall be legal investment for all state funds or for funds under state control and all funds of municipal corporations.

and shall be legal security for all state, county, and municipal deposits.

SEC. 6. The sum of fifty-two million dollars, or so much thereof as may be necessary, is appropriated from the public school building construction account of the general fund to the state finance committee to be expended by the committee for the payment of expenses incident to the sale and issuance of the bonds authorized herein and through allotments made to the state board of education at the direction of the state board of education for the purpose of carrying out the provision of this act: *Provided*, That no part of the aforesaid fifty-two million dollars shall be allotted to a school district for the purpose aforesaid until such district has provided funds for school building construction purposes through the issuance of bonds or through the authorization of excess tax levies or both in an amount equivalent to ten per cent of its taxable valuation plus such further amount as may be required by the state board of education: *Provided, further*, That the state board of education shall prescribe and make effective such rules and regulations as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

Appropriation from public school building construction account—Purpose—Local responsibility.

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SEC. 7. In allotting the state funds provided by this act, the state board of education shall:

Allocation of funds. Duties of state board of education.

- (1) Prescribe rules and regulations governing the administration, control, terms, conditions, and disbursement of allotments to school districts to assist them in providing school plant facilities;
- (2) Approve, whenever the board deems such action advisable, allotments to districts that apply for state assistance;
- (3) Authorize the payment of approved allotments by warrant of the state auditor; and
- (4) In the event that the amount of state assistance applied for pursuant to the provisions hereof

Bond issue for construction of school plant facilities.

exceeds the funds available for such assistance during any biennium, make allotments on the basis of the urgency of need for school facilities in the districts that apply for assistance or prorate allotments among such districts in conformity with procedures and regulations applicable thereto which shall be established by the board.

Allocation of funds. Basis of state aid for school plants.

SEC. 8. Allocations to school districts of state funds provided by this act shall be made by the state board of education and the amount of state assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The board of directors of the district shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architect's fees, and a reasonable amount for contingencies and for other necessary incidental expenses: *Provided*, That the total cost of the project shall be subject to review and approval by the state board of education.

(2) The state board of education shall compute the ratio of the assessed valuation of the district, adjusted in accordance with the ratio of assessed valuation to actual valuation fixed by the state board of equalization for the county to which the district belongs, to the number of educational units approved for allotment to the district of current state school funds: *Provided*, That this number of units may be increased by the state board of education for the use thereof specified in this act, upon the finding of said board that completion of the proposed project will provide facilities for additional

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units and that such additional units will be needed to serve the school population of the district.

Basis of state aid for school plants.

(3) The ratio of the adjusted valuation of the district to the number of educational units thereof, computed in the manner hereinabove provided for, shall then be used in determining the percentage of state assistance for the district in accordance with the following table:

Ratio of adjusted valuation to number of educational units	Percentage of state assistance
\$10,520 or less to 1	90.0%
15,000 to 1	86.0
20,000 to 1	81.8
25,000 to 1	77.7
28,570 to 1	75.0
30,000 to 1	73.9
35,000 to 1	70.2
40,000 to 1	66.7
45,000 to 1	63.3
50,000 to 1	60.0
55,000 to 1	56.9
60,000 to 1	53.8
65,000 to 1	50.9
70,000 to 1	48.1
75,000 to 1	45.5
80,000 to 1	42.9
85,000 to 1	40.4
90,000 to 1	37.9
95,000 to 1	35.6
100,000 to 1	33.3
105,000 to 1	31.1
110,000 to 1	29.0
115,000 to 1	27.0
120,000 to 1	25.0
130,000 to 1	21.2
140,000 to 1	17.6
150,000 to 1	14.3

Bond issue for construction of school plant facilities.	160,000 to 1.....	11.1
	170,000 to 1.....	8.1
Allocation of funds. Basis of state aid for school plants.	180,000 to 1.....	5.3
	190,000 to 1.....	2.6
	200,000 to 1.....

(4) The approved cost of the project determined in the manner herein prescribed times the percentage of state assistance derived as provided for herein shall be the amount of state assistance to the district for the financing of the project: *Provided*, That need therefor has been established to the satisfaction of the state board of education: *Provided, further*, That additional state assistance may be allowed if it is found by the state board of education that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden and excessive past or clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1957, and without benefit of the state assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state assistance because of the inadequacy of state funds available for the purpose; or (d) conditions similar to those defined under (a), (b), and (c) hereinabove, creating a like emergency: *Provided, further*, That, in the event that federal assistance in an amount in excess of six million dollars

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is made available to the state of Washington to be allocated to school districts by the state board of education for public school construction purposes during the 1957-59 biennium, the minimum percentage of state assistance to any district eligible under provisions of this act shall not be less than fifteen percent.

SEC. 9. If a school district which has qualified for an allotment of state funds under the provisions of this act for school building construction is found by the state board of education to have a school housing emergency requiring an allotment of state funds in excess of the amount allocable under section 9 [8] of this act, an additional allotment may be made to such district: *Provided*, That the total amount allotted shall not exceed ninety percent of the total cost of the project which may include the cost of the site and equipment. At any time thereafter when the state board of education finds that the financial position of such school district has improved through an increase in its taxable valuation or through retirement of bonded indebtedness or through a reduction in school housing requirements or for any of these reasons, the amount of such additional allotment, or any part of such amount as the state board of education determines, shall be deducted, under terms and conditions prescribed by the board, from any state school building construction funds which might otherwise be provided to such district.

Additional allotment authorized—Effect on future disbursements to district.

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SEC. 10. In determining the eligibility of a union high school district for state assistance in providing high school facilities and facilities for the operation of thirteenth and fourteenth year programs authorized by RCW 28.84.120 through 28.84.150, the requirements of this act respecting the amount of funds to be provided by a school district in order to qualify for an allotment of state funds shall be deemed to have been met if the total amount of funds provided

Union high school districts.

Bond issue for construction of school plant facilities. Allocation of funds. Union high school district.

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by the union high school district and by the elementary school district components thereof for school building construction purposes is equivalent to ten percent of the taxable valuation of the union high school district plus such further amount as may be required by the state board of education: *Provided*, That nothing herein shall relieve any such school district from compliance with the provisions of section 9 of this act. For the purpose of providing funds for financing the construction and equipment of facilities of the type hereinbefore designated the board of directors of the union high school district and the board of directors of each elementary school district component thereof may submit to the voters of the district a proposal or proposals for providing capital funds through the issuance of bonds or through authorization of an excess tax levy. The proceeds of any such bond issue or excess tax levy shall be credited to the building fund of the union high school district and shall be expended to pay the cost of constructing and equipping facilities of the type aforesaid and not otherwise.

An elementary school district component of a union high school district shall be deemed to have met the requirements of this act, if such elementary school district has provided funds for both union high school district and elementary school district construction purposes in an amount equivalent to ten percent of its taxable valuation plus such further amount as may be required by the state board of education.

Modifiable basic or standard plans for school buildings.

SEC. 11. Whenever in the judgment of the state board of education economies may be effected without impairing the usefulness and adequacy of school buildings, said board may prescribe rules and regulations and establish procedures governing the preparation and use of modifiable basic or standard plans for school building construction projects for

which state assistance funds provided by this act are allocated.

SEC. 12. If any section, paragraph, sentence, clause, phrase or word of this act should be held to be invalid or unconstitutional, such act shall not affect or impair the validity or constitutionality of any other section, paragraph, sentence, clause, phrase or word of this act. It is hereby declared that had any section, paragraph, sentence, clause, phrase or word as to which this act is declared invalid been eliminated from the act at the time the same was considered, the act would have nevertheless been enacted with such portions eliminated. Severability.

SEC. 13. This act is necessary for the immediate preservation of the public peace, health and safety, and for the support of state government and its existing public institutions, and shall take effect immediately. Emergency.

Passed the Senate March 13, 1957.

Passed the House March 13, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 235.

[S. B. 352.]

HIGHWAYS—LIMITED ACCESS FACILITIES THROUGH CITIES.

AN ACT relating to limited access facilities extending through cities and towns; amending section 2, chapter 202, Laws of 1947, as last amended by section 1, chapter 30, Laws of 1953 and section 5, chapter 167, Laws of 1951 and RCW 47.52.020 and 47.52.025; adding seven new sections to chapter 202, Laws of 1947 and to chapter 47.52 RCW; and declaring an emergency.

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

SECTION 1. Section 2, chapter 202, Laws of 1947, as last amended by section 1, chapter 30, Laws of 1953 Division and amendment.