

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.

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

AN ACT Relating to metropolitan municipal corporations; reenacting section 35.58.450, chapter 7, Laws of 1965 as last amended by section 16, chapter 232, Laws of 1969 ex. sess., and by section 17, chapter 255, Laws of 1969 ex. sess., and RCW 35.58-.450; reenacting 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; and declaring an emergency.

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

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 corporation 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 corporation to pay such amounts out of otherwise unpledged revenue which may be derived from the ownership, use or operation of properties or facilities owned, used or operated incident to the performance of the authorized function for which such bonds are issued or out of otherwise unpledged fees, tolls, charges, tariffs, fares, rentals, special taxes or other sources of payment lawfully authorized for such purpose, 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 municipal corporation.

Each such revenue bond shall state upon its face that it is payable from such special fund or funds, and all revenue bonds issued under this chapter shall be negotiable securities within the provisions of the law of this state. Such revenue bonds may be registered either as to principal only or as to principal and interest, or may be bearer bonds, shall be in such denominations as the metropolitan 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-

terminated by the metropolitan council, 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 municipal corporation shall be impressed or imprinted 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 metropolitan council shall deem to be for the best interests of the metropolitan 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 guarantee 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 interest and to maintain adequate coverage over debt service, to appoint a trustee or trustees for the bondholders to safeguard the expenditure 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 reserves, 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 corporation, 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 authorization, 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 obligation 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 authorizing 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 ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness". It also provided that the principal and interest 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-

tion with each of the amendments included therein.

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CHAPTER 12
[House Bill No. 38]
STATE CIVIL SERVICE--
CODE CORRECTIONS

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-