

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION
WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by September 26, 2007. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 664-3027, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, Washington 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

If you are interested in receiving notice of new formal opinion requests via e-mail, you may visit the Attorney General's website at www.atg.wa.gov/AGOOpinions/default.aspx for more information on how to join our Opinions ListServ.

The Attorney General's Office seeks public input on the following opinion request(s):

**Opinion Docket No. 07-09-01
Request by Juelanne Dalzell
Jefferson County Prosecutor**

- 1. Does Laws of 2007, ch. 503, amending RCW 79.64.110 by adding RCW 79.64.110(3), allow a school district to transfer surplus state forest land funds deposited in a voter-approved debt service fund pursuant to RCW 79.64.110(2)(b) to a capital project fund when the 1997 vote approving the general obligation bond did not contemplate such transfers and the school district may choose to collect for the debt service fund the full amount approved by its voters?**
- 2. Was chapter 503 intended to apply only to bond issues approved by voters in the future, since voters who approved this particular bond issue were not informed before voting that in the future, the school district would not only be able to spend a debt service fund surplus on other items but would also be entitled to collect the full amount authorized by the voters although the authorized amount to be raised through ad valorem taxes for repayment of debt was not necessarily needed by the school district to repay that debt?**
- 3. Assuming the transfer described above is lawful, how would the school district, the County Treasurer, and the County Assessor determine the amount of money received from state forest funds, when in Jefferson County (and in other counties on the Olympic Peninsula, including Clallam County) the Washington State Department of Natural Resources, in addition to managing its lands, is also retained to manage county forest lands and, thus, the sums described as "state forest funds" are not purely state forest funds and are not susceptible to division between these two categories with certainty?**
- 4. In the future, when a school district brings a bond proposition before its qualified voters, must it, in the spirit of full disclosure, inform the voters in the ballot text that the revenues raised through the levy may be used for both debt service repayment and, if the revenue raised is in excess of what is needed for debt service repayment, other capital fund projects as is allowed by chapter 503?**

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