



**RULE-MAKING ORDER**  
**(RCW 34.05.360)**

**CR-103 (7/10/97)**

**Agency:** State Board for Community & Technical Colleges

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

**(1) Date of adoption:** June 18, 1998

**(2) Purpose:**

Pertaining to prior approval by the State Board by College Districts for Districts for Capital Projects and Acquisition of Real Property

**(3) Citation of existing rules affected by this order:**

- Repealed:** 1 (WAC 131-24-040)
- Amended:** 3 (WAC 131-24-010; 131-24-020; 131-24-030)
- Suspended:**

**(4) Statutory authority for adoption:** RCW 28B.50

**Other authority:**

**PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)**

Adopted under notice filed as WSR 98-06-073 & 98-07-059 on 3/17/98 & 3/3/98 <sup>Respectively</sup> (date).  
Describe any changes other than editing from proposed to adopted version:

*None*

**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

**EXPEDITED REPEAL ONLY**

Under Preproposal Statement of Inquiry filed as WSR \_\_\_\_\_ on \_\_\_\_\_ (date).

**(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes  No If Yes, explain:

**(6) Effective date of rule:**

**Permanent Rules  
or Expedited Rule Making**

- 31 days after filing
- Other (specify) \_\_\_\_\_\*

\*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

**Emergency Rules**

- Immediately
- Later (specify) \_\_\_\_\_

**NAME (TYPE OR PRINT)**

Claire C. Krueger

**SIGNATURE**

*Claire C. Krueger*

**TITLE** Executive Assistant and Administrative Rules Coordinator

**DATE** 7/2/98

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

JUL 2 1998

TIME 1:09 AM  
WSR 98-15-010 PM

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New \_\_\_\_\_ Amended \_\_\_\_\_ Repealed \_\_\_\_\_

**The number of sections adopted on the agency's own initiative:**

New \_\_\_\_\_ Amended 13 Repealed 1

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New \_\_\_\_\_ Amended 2 Repealed 1

**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	<u>2</u>	Repealed	<u>1</u>

AMENDATORY SECTION (Amending Order 3, filed 6/19/69)

**WAC 131-24-010 Districts shall obtain prior approval of state board for capital projects and acquisition of realty.** ((Community)) College districts that wish to contract for or otherwise cause the construction, reconstruction, erection, equipping, disposal, demolition, or alteration of buildings, facilities, or other capital assets; or to acquire, by purchase or lease, sites, right of way, easements, improvements, or appurtenances to real property and shall first obtain the approval of the state board for community and technical colleges ((education)) pursuant to the procedures established for such approval and action.

AMENDATORY SECTION (Amending Order 56, filed 4/2/76)

**WAC 131-24-020 College district revenue bond issues--Approval required.** (1) ((Community)) College districts that wish to issue revenue bonds pursuant to RCW 28B.50.140(6) must receive the prior approval of the state board and the state finance committee, as required by RCW 28B.50.409.

(a) District requests for state board approval shall consist of a written presentation describing the proposed use of the bond revenue, the need for the facility, cost projections, source and anticipated annual revenue pledged to debt service, and the characteristics of the bond issue proposed.

(b) After receiving state board approval, the requesting district and the state director or his designee will jointly prepare a request to the state finance committee for approval of the proposed issue.

(2) Following approval of a revenue bond issue, the district shall establish a bond retirement fund as required by RCW 28B.50.330. Subject to the provisions of RCW 28B.50.320, the district shall select a local depository into which it shall place all revenue pledged to debt service for such revenue bond issue. Any federal or state funds or other grants, bequests, gifts, or income therefrom pledged to the retirement of such revenue bond issue shall be deposited as herein provided; except, that if such funds could not be obtained if so deposited, they shall be deposited according to the applicable law or term of the trust, bequest, or gift.

(3) Nothing in this section shall be construed to change the current status of any revenue bond issues approved prior to the

effective date . this rule and pursuant to AC 131-04-010, which section is hereby repealed.

AMENDATORY SECTION (Amending Order 58, filed 5/10/76)

**WAC 131-24-030 Capital construction projects--SEPA policies and procedures.** (1) It shall be the policy of the state board for community and technical colleges ((education)) that capital projects proposed by ((community)) college districts shall be developed in a manner consistent with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA), and chapter 197-10 WAC, guidelines for SEPA implementation.

(2) A ((community)) college district initiating a request for approval of any capital construction expenditure shall be considered the "lead agency" for the purpose of carrying out the provisions of chapter 43.21C RCW and chapter 197-10 WAC.

~~((3) Community college districts seeking state board approval of capital project construction expenditures pursuant to WAC 131-24-010 shall provide as part of such requests a draft "declaration of significance/nonsignificance" regarding the potential adverse effects the proposed project would have on the environment.~~

~~(4) The draft "declaration of significance/nonsignificance" shall conform in both form and supporting documentation, if such is required, to the provisions of WAC 197-10-355.~~

~~(5) When the declaration required by subsection (3) of this section indicates a finding that there exists a reasonable belief by the lead agency that the proposed project could have a significant adverse effect on the environment, the request for state board approval of capital project construction funds shall be construed to be an affirmation that the district has complied with the provisions for preparation and circulation of draft and final environmental impact statements in WAC 197-10-410 through 197-10-695.)~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 131-24-040

Capital projects funded on the basis of voluntary student fees.