
SENATE BILL 5937

State of Washington 52nd Legislature 1991 Regular Session

By Senators McDonald and Niemi.

Read first time March 7, 1991. Referred to Committee on Higher Education.

1 AN ACT Relating to the funding of community colleges; amending RCW
2 84.52.052; adding new sections to chapter 28B.50 RCW; and creating a
3 new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature has authorized counties
6 to create county road districts in the unincorporated areas of the
7 county and has authorized the county to levy a regular property tax
8 levy in the district for roads. In addition, the legislature has
9 authorized counties to form service districts for road improvements and
10 authorized voter-approved excess levies by the service district for
11 this purpose. Because this system has worked so well for the
12 construction and maintenance of roads in these districts and since
13 community college districts are analogous to road service districts,
14 the legislature intends to authorize community college districts to
15 levy excess levies in the same manner as road service districts.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.50 RCW
2 to read as follows:

3 (1) A community college district is a municipal corporation, an
4 independent taxing "authority" within the meaning of Article VII,
5 section 1 of the state Constitution, and a "taxing district" within the
6 meaning of Article VII, section 2 of the state Constitution.

7 (2) A community college district may levy an ad valorem property
8 tax, in excess of the one percent limitation, upon the property within
9 the district for a one-year period to be used for the acquisition of
10 supplies, equipment, and library books and materials for the community
11 college district whenever authorized by the voters of the district
12 pursuant to Article VII, section 2(a) of the state Constitution and RCW
13 84.52.052.

14 (3) A community college district may provide for the retirement of
15 voter approved general obligation bonds, issued for capital purposes
16 only, by levying bond retirement ad valorem property tax levies, in
17 excess of the one percent limitation, whenever authorized by the voters
18 of the district pursuant to Article VII, section 2(b) of the state
19 Constitution and RCW 84.52.056.

20 (4) Approval of any levy under this section shall constitute
21 ratification of the community college district boundaries and board of
22 trustees by the voters of the district.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.50 RCW
24 to read as follows:

25 A community college district may issue general obligation bonds for
26 capital purposes only not to exceed an amount equal to two and one-half
27 percent of the value of the taxable property within the district, as
28 the term "value of taxable property" is defined in RCW 39.36.015, when
29 authorized by the voters of the community college district pursuant to

1 Article VIII, section 6 of the state Constitution, and to provide for
2 the retirement thereof by excess property tax levies as provided in
3 section 2(3) of this act. The community college may submit a single
4 proposition to the voters which, if approved, authorizes both the
5 issuance of the bonds and the bond retirement property tax levies.

6 **Sec. 4.** RCW 84.52.052 and 1989 c 53 s 4 are each amended to read
7 as follows:

8 The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW
9 84.52.043 shall not prevent the levy of additional taxes by any taxing
10 district except school districts in which a larger levy is necessary in
11 order to prevent the impairment of the obligation of contracts. Any
12 county, community college district, metropolitan park district, park
13 and recreation service area, park and recreation district, sewer
14 district, water district, solid waste disposal district, public
15 facilities district, flood control zone district, county rail district,
16 service district, public hospital district, road district, rural county
17 library district, island library district, intercounty rural library
18 district, fire protection district, cemetery district, transportation
19 benefit district, city, town, or cultural arts, stadium,
20 (~~transportation benefit district,~~) and convention district may levy
21 taxes at a rate in excess of the rate specified in RCW 84.52.050
22 through 84.52.056 and 84.52.043, or RCW 84.55.010 through 84.55.050,
23 when authorized so to do by the electors of such (~~county, metropolitan~~
24 ~~park district, park and recreation service area, park and recreation~~
25 ~~district, sewer district, water district, solid waste disposal~~
26 ~~district, public facilities district, flood control zone district,~~
27 ~~county rail district, service district, public hospital district, road~~
28 ~~district, rural county library district, island library district,~~
29 ~~intercounty rural library district, fire protection district, cemetery~~

1 ~~district, city, town, or cultural arts, stadium, transportation benefit~~
2 ~~district, and convention))~~ taxing district in the manner set forth in
3 Article VII, section 2(a) of the Constitution of this state, as amended
4 by Amendment 64 and as thereafter amended, at a special or general
5 election to be held in the year in which the levy is made.

6 A special election may be called and the time therefor fixed by the
7 county legislative authority, or council, board of commissioners,
8 community college board of trustees, or other governing body of any
9 metropolitan park district, park and recreation service area, park and
10 recreation district, sewer district, water district, solid waste
11 disposal district, public facilities district, flood control zone
12 district, county rail district, service district, public hospital
13 district, road district, rural county library district, island library
14 district, intercounty rural library district, fire protection district,
15 cemetery district, transportation benefit district, city, town, or
16 cultural arts, stadium, and convention district, by giving notice
17 thereof by publication in the manner provided by law for giving notices
18 of general elections, at which special election the proposition
19 authorizing such excess levy shall be submitted in such form as to
20 enable the voters favoring the proposition to vote "yes" and those
21 opposed thereto to vote "no."