

multiplied by an assessed valuation equal to twenty-five percent of the true and fair value of the taxable property in such school district, as determined by the department of revenue's indicated county ratio: PROVIDED FURTHER, That no rural library district may make a regular property tax levy in excess of an amount that would be produced by a levy of two mills multiplied by an assessed valuation equal to twenty-five percent of the true and fair value of the taxable property in such library district, as determined by the department of revenue's indicated county ratio.

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CHAPTER 243
[Engrossed House Bill No. 661]
TOWNSHIPS, DISORGANIZATION,
TAXING AND BONDING POWERS--
FIRE PROTECTION DISTRICTS

AN ACT Relating to taxation and revenue by state and local governments; amending section 9, chapter 53, Laws of 1961 and RCW 52.16.160; amending section 1, chapter 165, Laws of 1953 as amended by section 2, chapter 16, Laws of 1959, and RCW 45.12.100; amending section 86, chapter 175, Laws of 1895 and RCW 45.56.040; amending section 115, chapter 175, Laws of 1895 as amended by section 10, chapter 47, Laws of 1909, and RCW 45.72.070; adding new sections to Title 45 RCW; repealing section 85, chapter 175, Laws of 1895 and RCW 45.56.020; repealing section 1, chapter 166, Laws of 1953 as amended by section 4, chapter 16, Laws of 1959, and RCW 45.56.030; repealing section 91, chapter 175, Laws of 1895 and RCW 45.56.060; repealing section 87, chapter 175, Laws of 1895 and RCW 45.60.010; repealing section 88, chapter 175, Laws of 1895 and RCW 45.60.030; and repealing section 89, chapter 175, Laws of 1895 and RCW 45.60.040.

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

NEW SECTION. Section 1. There is added to Title 45 RCW a new section to read as follows:

(1) Hereafter no township shall assess or levy any ad valorem taxes upon property. Townships may levy and collect special assessments upon property specially benefited by improvements constructed by such townships under their general powers. The procedure for the making of such improvements and the levying and collecting of such assessments shall, insofar as applicable, be the same as that prescribed for fire protection districts under chapter 52.20 RCW. A township may also receive and expend gifts and grants from any source for strictly township purposes.

(2) The county auditor of each county which contains one or more townships shall prior to January 1, 1970, fix a date for holding an election which may be either a special or general election at which election the voters of the county shall determine whether all township organizations within the county shall or shall not be disorganized. If a majority of votes cast upon the question favor disorganization of the township system of the county, the ensuing disorganization shall be conducted pursuant to RCW 45.80.040, 45.80.050, 45.80.060, 45.80.070 and 45.80.080: PROVIDED, That nothing contained in subsection (1) of this section shall limit the authority of the county commissioners when authorized by the court from levying ad valorem taxes upon real property and using the proceeds therefrom in order to extinguish the obligations of townships disorganized pursuant to this subsection or pursuant to the provisions of chapter 45.80 RCW.

Sec. 2. Section 9, chapter 53, Laws of 1961 and RCW 52.16.160 are each amended to read as follows:

Notwithstanding the limitation of millage contained in RCW 52.16.130, and in addition to any levy for the payment of the principal and interest of any outstanding general obligation bonds and levies necessary to pay the principal and interest of any coupon warrants heretofore issued and outstanding and in addition to any levy authorized by RCW 52.16.130, 52.16.140 or any other statute, if in any county where there are one or more townships in existence making annual tax levies and such township or townships are disorganized as a result of

a county-wide disorganization procedure prescribed by statute and is no longer making any tax levy, or any township or townships for any other reason no longer makes any tax levy, the board of fire commissioners of any fire protection district within such county is hereby authorized to levy each year an ad valorem tax on all taxable property within such district of not to exceed two mills, which levy may be made only if it will not cause the combined levies to exceed the forty mill limitation.

NEW SECTION. Sec. 3. There is added to Title 45 RCW a new section to read as follows:

Any township which at the time that this 1969 amendatory act takes effect has outstanding obligations in excess of anticipated receipts from sources other than general tax levies for the next ensuing year may certify the same to the board of county commissioners and the board shall levy taxes on the property within the township at the rates which the township would have been permitted to levy except for this 1969 amendatory act until such obligations have been extinguished, and until such time such millage levy will take precedence over any additional millage rates of fire protection districts under this 1969 amendatory act.

Sec. 4. Section 1, chapter 165, Laws of 1953, as amended by section 2, chapter 16, Laws of 1959 and RCW 45.12.100 are each amended to read as follows:

The electors of each town shall have power, at their annual town meeting:

- (1) To determine the number of poundmasters, and location of pounds.
- (2) To select such town officers as are required to be chosen.
- (3) To direct the institution or defense of actions in all controversies where the town is interested.
- (4) To direct such sums to be raised in the town for prosecuting or defending such actions as they may deem necessary.
- (5) To make all rules and regulations for ascertaining the

sufficiency of fences in the town and for impounding animals.

(6) To determine the time and manner in which certain domestic animals, including dogs, may be permitted to go at large.

(7) To impose such penalties on persons offending against any rules and regulations established by the town, except such as relate to the keeping and maintaining of fences, as they think proper not exceeding ten dollars for each offense, unless herein otherwise provided.

(8) To apply such penalties, when collected, in such manner as they may deem conducive to the interests of the town.

(9) To vote to raise such sums of money as they deem necessary for the purchase, repair, maintenance, and operation of snow plows or snow removing equipment, appliances for the prevention of highway dust or debris, and highway lighting, all in cooperation with the state and county authorities: PROVIDED, The board of county commissioners of any county wherein township taxing power is abolished under the provisions of this act shall annually budget and levy under chapter 36.82 RCW such additional amounts as necessary to maintain street lighting facilities now provided by townships if no other sufficient financial provision has been made for that purpose at the conclusion of the final hearing on the county's annual road fund budget. Such amount shall be limited to the dollar amount budgeted by the townships in the year 1967 for such street lighting and shall be subject to the same limitations applicable to township levies prior to the effective date of this amendatory act. The county shall thereafter maintain such street lighting facilities either as a part of its road fund program or by contract, during the next ensuing year.

(10) To instruct by vote the board to purchase grounds for a town cemetery; to limit the price to be paid therefor, to raise ((a tax)) a special assessment for payment thereon and to establish rules for the care and management thereof.

(11) To make such bylaws and regulations as may be deemed conducive to the peace, good order and welfare of the town; to license,

tax, regulate and control dogs, hawkers, peddlers, auctioneers, shows, theatricals, circuses, lawful games, merry-go-rounds, ferris wheels, or other amusement devices or places of amusement.

(12) To ~~((vete-to-levy-a-tax-in-such-amount-as-in-their-judgment-is-necessary-or-advisable,-but-not-to-exceed-four-mills-upon-all-taxable-property-in-such-townships,-for-the-purpose-of-creating-a-and-to-be-known-as))~~ create a river improvement fund from revenues available for that purpose other than ad valorem taxes.

Sec. 5. Section 86, chapter 175, Laws of 1895 and RCW 45.56-.040 are each amended to read as follows:

No town has power to contract debts or make expenditures for any one year in a larger sum than the amount of ~~((taxes-assessed-for-such-year-without-having-been-authorized-by-a-majority-of-the-voters-of-such-township,-and-no-town-shall-assess-for-township-purposes-more-than-ten-mills-on-the-dollar-of-taxable-property-for-any-one-year))~~ revenues provided for that year in a formally adopted budget.

Sec. 6. Section 115, chapter 175, Laws of 1895 as amended by section 10, chapter 47, Laws of 1909 and RCW 45.72.070 are each amended to read as follows:

In this act the words town and township are used with the same meaning, and are used to designate a township organized under this act, unless the contrary appears from the context; and whenever the word oath is used, it shall be understood to mean oath or affirmation.

The word tax means special taxes raised by special assessments and other forms of taxation authorized by law except ad valorem property taxes.

NEW SECTION. Sec. 7. Section 85, chapter 175, Laws of 1895 and RCW 45.56.020; section 1, chapter 166, Laws of 1953 as amended by section 4, chapter 16, Laws of 1959, and RCW 45.56.030; section 91, chapter 175, Laws of 1895 and RCW 45.56.060; section 87, chapter 175, Laws of 1895 and RCW 45.60.010; section 88, chapter 175, Laws of 1895 and RCW 45.60.030; and section 89, chapter 175, Laws of 1895 and RCW 45.60.040 are each hereby repealed.

NEW SECTION. Sec. 8. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

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CHAPTER 244
[Engrossed Senate Bill No. 737]
EDUCATION--STATE ASSISTANCE TO SCHOOL DISTRICTS

AN ACT Relating to the common schools and the support thereof; providing state assistance to school districts for the construction and modernization of common school plant facilities; reenacting section 3, chapter 154, Laws of 1965 ex. sess. as last amended by section 1, chapter 130, Laws of 1969 and section 1, chapter ..., Laws of 1969 ex. sess. (HB 257) and RCW 28.41.140; reenacting section 28A.41.140, chapter ..., Laws of 1969 ex. sess. (HB 58) and RCW 28A.41.140 as amended by section 7, chapter 130, Laws of 1969 and section 3, chapter ..., Laws of 1969 ex. sess. (HB 257) and RCW 28A.41.140; authorizing allocations of funds; making appropriations; and declaring an emergency.

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

NEW SECTION. Section 1. For the purpose of furnishing funds for state assistance to school districts in providing common school plant facilities and modernization of existing common school plant facilities, there is hereby appropriated from the common school construction fund the sum of thirty-seven million, four thousand, four hundred twenty-seven dollars.

NEW SECTION. Sec. 2. Funds appropriated to the state board of education from the common school construction fund shall be allotted by the state board of education in accordance with the provisions of this act: PROVIDED, That no allotment shall be made to a school district for the purpose aforesaid until such district has provided funds for school building construction purposes through the authoriza-