

into and a bond to perform the work furnished, with surety satisfactory to the council or commission, in the full amount of the contract price. If the bidder fails to enter into the contract in accordance with his bid and furnish such bond within ten days from the date at which he is notified that he is the successful bidder, the check or postal money order and the amount thereof shall be forfeited to the council or commission or the council or commission shall recover the amount of the surety bond. If no bid is received on the first call the city council or commission may readvertise and make a second call, or may enter into a contract without any further call or may purchase the supplies, material or equipment and perform such work or improvement by day labor.

Any purchase of supplies, material, equipment or services other than professional services, except for public work or improvement, where the cost thereof exceeds two thousand dollars shall be made upon call for bids in the same method and under the same conditions as required herein on a call for bids for public work or improvement.

Bids shall be called annually and at a time and in the manner prescribed by ordinance for the publication in a newspaper published or of general circulation in the city or town of all notices or newspaper publications required by law. The contract shall be awarded to the lowest responsible bidder.

Passed the Senate January 29, 1974.  
Passed the House February 7, 1974.  
Approved by the Governor February 15, 1974.  
Filed in Office of Secretary of State February 15, 1974.

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CHAPTER 75  
[House Bill No. 437]  
INTERMEDIATE SCHOOL DISTRICTS

AN ACT Relating to intermediate school districts; amending section 3, chapter 176, Laws of 1969 ex. sess. as amended by section 3, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.030; adding new sections to chapter 28A.21 RCW to be codified as RCW 28A.21.0301 through 28A.21.0306; amending section 4, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.035; amending section 15, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.095; amending section 10, chapter 176, Laws of 1969 ex. sess. as amended by section 16, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.100; amending section 19, chapter 34, Laws of 1969 ex. sess. as amended by section 6, chapter 48, Laws of 1971 and RCW 28A.21.105; amending section 20, chapter

34, Laws of 1969 ex. sess. as amended by section 7, chapter 48, Laws of 1971 and RCW 28A.21.106; amending section 11, chapter 176, Laws of 1969 ex. sess. as last amended by section 1, chapter 3, Laws of 1972 1st ex. sess. and RCW 28A.21.110; adding new sections to chapter 28A.21 RCW to be codified as RCW 28A.21.111 through 28A.21.113; amending section 12, chapter 176, Laws of 1969 ex. sess. as amended by section 18, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.120; amending section 18, chapter 176, Laws of 1969 ex. sess. as amended by section 24, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.180; creating new sections; repealing section 43, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.145; repealing section 25, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.185; and repealing section 20, chapter 176, Laws of 1969 ex. sess., section 27, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.190.

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

Section 1. Section 3, chapter 176, Laws of 1969 ex. sess. as amended by section 3, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.030 are each amended to read as follows:

Except as otherwise provided in this section, in each intermediate school district there shall be an intermediate school district board consisting of seven members elected by the voters of the intermediate school district, one from each of seven intermediate school district board-member districts. Board-member districts in districts reorganized under RCW 28A.21.020, or as provided for in RCW 28A.21.035 and under this section, shall be initially determined by the state board of education. If a reorganization pursuant to RCW 28A.21.020 places the residence of a board member into another or newly created intermediate school district, such member shall serve on the board of the intermediate school district of residence until the next general school election at which time a new seven member board shall be elected. If the redrawing of board member district boundaries pursuant to this chapter shall cause the resident board member district of two or more board members to coincide, such board members shall continue to serve on the board until the next general school election at which time a new board shall be elected. The board-member districts shall be arranged so far as practicable on a basis of equal population, with consideration being given existing board members of existing intermediate school district boards. Each intermediate school district board member shall be elected by the registered voters of the respective board member district. Beginning in 1971 and every ten years thereafter, intermediate school district boards shall review and, if necessary, shall change the boundaries of

board-member districts so as to provide so far as practicable equal representation according to population of such board-member districts and to conform to school district boundary changes: PROVIDED, That all board-member district boundaries, to the extent necessary to conform with this chapter, shall be redrawn for the purposes of the next general school election immediately following ((May 27, 1974 and the next general school election immediately following)) any reorganization pursuant to this chapter. Such district board, if failing to make the necessary changes prior to June 1 of the appropriate year, shall refer for settlement questions on board-member district boundaries to the state board of education, which, after a public hearing, shall decide such questions.

(Election of board members shall be held at the time of the general school election: Such election shall be called and notice thereof given by the county auditor of each county in the manner provided by law for giving notice of the election of school district directors and such election shall be conducted by the official who conducts the general school election for first class school districts.

Filing for candidacy for the intermediate school district board shall be with the county auditor of the headquarters county of the intermediate school district not more than sixty days nor less than forty-six days prior to the general school election; and the auditor shall certify the names of candidates to the officials conducting the elections in the board-member districts.

The term of office for each board member shall be four years and until a successor is duly elected and qualified: For the first election or an election following reorganization, board-member district positions numbered one, three, five, and seven in each intermediate school district shall be for a term of four years and positions numbered two, four, and six shall be for a term of two years:

Any intermediate school district board may elect by resolution of the board to increase the board member size to nine board members: In such case positions number eight and nine shall be filled at the next general school election; position numbered eight to be for a term of two years; position numbered nine to be for a term of four years: Thereafter the terms for such positions shall be for four years:

The term of every intermediate school district board member shall begin after the election returns have been certified, a certificate of election issued, and the oath of office taken: In the event of a vacancy in the board from any cause, such vacancy shall be filled by appointment of a person from the same board-member district

by the intermediate school district board. In the event that there are more than three vacancies in a seven-member board or four vacancies in a nine-member board, the state board of education shall fill by appointment sufficient vacancies so that there shall be a quorum of the board serving. Each appointed board member shall serve until the next general school election, at which time there shall be elected a member to fill the unexpired term.

No person shall serve as an employee of a school district or as a member of a board of directors of a common school district or as a member of the state board of education and as a member of an intermediate school district board at the same time.)

NEW SECTION. Sec. 2. There is added to chapter 28A.21 RCW a new section to be codified as RCW 28A.21.0301 to read as follows:

Election of board members shall be held at the time of the general school election. Such election shall be called and notice thereof given by the county auditor of each county in the manner provided by law for giving notice of the election of school district directors and such election shall be conducted by the official who conducts the general school election for first class school districts.

NEW SECTION. Sec. 3. There is added to chapter 28A.21 RCW a new section to be codified as RCW 28A.21.0302 to read as follows:

Filing for candidacy for the intermediate school district board shall be with the county auditor of the headquarters county of the intermediate school district not more than sixty days nor less than forty-six days prior to the general school election, and the auditor shall certify the names of candidates to the officials conducting the elections in the board-member districts.

NEW SECTION. Sec. 4. There is added to chapter 28A.21 RCW a new section to be codified as RCW 28A.21.0303 to read as follows:

The term of office for each board member shall be four years and until a successor is duly elected and qualified. For the first election or an election following reorganization, board-member district positions numbered one, three, five, and seven in each intermediate school district shall be for a term of four years and positions numbered two, four, and six shall be for a term of two years.

NEW SECTION. Sec. 5. There is added to chapter 28A.21 RCW a new section to be codified as RCW 28A.21.0304 to read as follows:

Any intermediate school district board may elect by resolution of the board to increase the board member size to nine board members. In such case positions number eight and nine shall be filled at the next general school election, position numbered eight to be for a term of two years, position numbered nine to be for a term of four

years. Thereafter the terms for such positions shall be for four years.

NEW SECTION. Sec. 6. There is added to chapter 28A.21 RCW a new section to be codified as RCW 28A.21.0305 to read as follows:

The term of every intermediate school district board member shall begin after the election returns have been certified, a certificate of election issued, and the oath of office taken. In the event of a vacancy in the board from any cause, such vacancy shall be filled by appointment of a person from the same board-member district by the intermediate school district board. In the event that there are more than three vacancies in a seven-member board or four vacancies in a nine-member board, the state board of education shall fill by appointment sufficient vacancies so that there shall be a quorum of the board serving. Each appointed board member shall serve until the next general school election, at which time there shall be elected a member to fill the unexpired term.

NEW SECTION. Sec. 7. There is added to chapter 28A.21 RCW a new section to be codified as RCW 28A.21.0306 to read as follows:

No person shall serve as an employee of a school district or as a member of a board of directors of a common school district or as a member of the state board of education and as a member of an intermediate school district board at the same time.

Sec. 8. Section 4, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.035 are each amended to read as follows:

Any intermediate school district board which elects under RCW ((28A.21.030)) 28A.21.0304 to increase the size of the intermediate school district board from seven to nine members, after at least four years, may elect by resolution of the board to return to a membership of seven intermediate school board members. In such case the term of office of all existing intermediate school board members shall expire at the next general school election and seven intermediate school board members shall be elected in accordance with the provisions of RCW 28A.21.030, 28A.21.0301 through 28A.21.0303, 28A.21.0305 and 28A.21.0306.

Sec. 9. Section 15, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.095 are each amended to read as follows:

Each intermediate school district board, by written order filed in the headquarters office, may delegate to the intermediate school district superintendent any of the powers and duties vested in or imposed upon the board by ((this 1974 amendatory act)) law or rule or regulation of the state board of education and/or the superintendent of public instruction. Such delegated powers and duties shall not be in conflict with rules or regulations of the superintendent of public instruction or the state board of education

and may be exercised by the intermediate school district superintendent in the name of the board.

Sec. 10. Section 10, chapter 176, Laws of 1969 ex. sess. as amended by section 16, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.100 are each amended to read as follows:

The intermediate school district superintendent may appoint with the consent of the intermediate school district board (~~of education~~) assistant superintendents and such other professional personnel and clerical help as may be necessary to perform the work of the office at such salaries as may be determined by the intermediate school district board (~~of education~~) and shall pay such salaries out of the budget of the district. In the absence of the intermediate school district superintendent a designated assistant superintendent shall perform the duties of the office. The intermediate school district superintendent shall have the authority to appoint on an acting basis an assistant superintendent to perform any of the duties of the office.

Sec. 11. Section 19, chapter 34, Laws of 1969 ex. sess. as amended by section 6, chapter 48, Laws of 1971 and RCW 28A.21.105 are each amended to read as follows:

No certificated employee of an intermediate school district superintendent or board (~~of education~~) shall be employed except by written contract, which shall be in conformity with the laws of this state. Every such contract shall be made in duplicate, one copy of which shall be retained by the intermediate school district superintendent and the other shall be delivered to the employee.

Every intermediate school district superintendent or board (~~of education~~) determining that there is probable cause or causes that the employment contract of a certificated employee thereof is not to be renewed for the next ensuing term shall be notified in writing on or before April 15th preceding the commencement of such term of that determination, which notification shall specify the cause or causes for nonrenewal of contract. Such notice shall be served upon that employee personally, or by certified or registered mail, or by leaving a copy of the notice at the house of his or her usual abode with some person of suitable age and discretion then resident therein. The procedure and standards for the review of the decision of the superintendent or board and appeal therefrom shall be as prescribed for nonrenewal cases of teachers in RCW 28A.58.450 through 28A.58.515, 28A.67.070 and 28A.88.010 and in any amendments hereafter made thereto. Appeals may be filed in the superior court of any county in the intermediate school district.

Sec. 12. Section 20, chapter 34, Laws of 1969 ex. sess. as amended by section 7, chapter 48, Laws of 1971 and RCW 28A.21.106 are each amended to read as follows:

Every intermediate school district superintendent or board ((of education)) determining that there is probable cause or causes for a certificated employee of that superintendent or board to be discharged or otherwise adversely affected in his contract status shall notify such employee in writing of its decision, which notice shall specify the cause or causes for such action. Such notice shall be served upon that employee personally, or by certified or registered mail, or by leaving a copy of the notice at the house of his or her usual abode with some person of suitable age and discretion then resident therein. The procedure and standards for review of the decision of the superintendent or board and appeal therefrom shall be as prescribed in discharge cases of teachers in RCW 28A.58.450 through 28A.58.515, 28A.67.070 and 28A.88.010 and in any amendments hereafter made thereto. The board ((of education)) and the intermediate school district superintendent, respectively, shall have the duties of the boards of directors and clerks of school districts in RCW 28A.58.450 through 28A.58.515, 28A.67.070 and 28A.88.010 and in any amendments hereafter made thereto. Appeals may be filed in the superior court of any county in the intermediate school district.

Sec. 13. Section 11, chapter 176, Laws of 1969 ex. sess. as last amended by section 1, chapter 3, Laws of 1972 1st ex. sess. and RCW 28A.21.110 are each amended to read as follows:

In addition to other powers and duties as provided by law, each intermediate school district superintendent shall:

(1) Serve as chief executive officer of the intermediate school district and secretary of the intermediate school district board.

(2) Visit the schools in the intermediate school district, counsel with directors and staff, and assist in every possible way to advance the educational interest in the intermediate school district.

~~((3))~~ Perform such record keeping, including such annual reports as may be required; and liaison and informational services to local school districts and the superintendent of public instruction as required by rule or regulation of the superintendent of public instruction or state board of education: PROVIDED, That the superintendent of public instruction and the state board of education may require some or all of the school districts to report information directly when such reporting procedures are deemed desirable or feasible:

{4} Keep records of official acts of the intermediate school district board and superintendents in accordance with REW 28A:21-120:

{5} Preserve carefully all reports of school officers and teachers and deliver to the successor of the office all records, books, documents, and papers belonging to the office either personally or through a personal representative, taking a receipt for the same, which shall be filed in the office of the county auditor in the county where the office is located:

{6} Administer oaths and affirmations to school directors, teachers, and other persons on official matters connected with or relating to schools, when appropriate, but not make or collect any charge or fee for so doing:

{7} Require the oath of office of all school district officers be filed as provided in REW 28A:57-322 and furnish a directory of all such officers to the county auditor and to the county treasurer of the county in which the school district is located as soon as such information can be obtained after the election or appointment of such officers is determined and their oaths placed on file:

{8} Assist the school districts in preparation of their budgets as provided in chapter 28A:65 REW:

{9} Enforce the provisions of the compulsory attendance law as provided in chapters 28A:27 and 28A:28 REW:

{10} Perform duties relating to capital fund aid by nonhigh districts as provided in chapter 28A:56 REW:

{11} Carry out the duties and issue orders creating new school districts and transfers of territory as provided in chapter 28A:57 REW:

{12} Perform all other duties prescribed by law and the intermediate school district board:)

NEW SECTION. Sec. 14. There is added to chapter 28A.21 RCW a new section to be codified as RCW 28A.21.111 to read as follows:

In addition to other powers and duties as provided by law, each intermediate school district superintendent shall:

(1) Perform such record keeping, including such annual reports as may be required, and liaison and informational services to local school districts and the superintendent of public instruction as required by rule or regulation of the superintendent of public instruction or state board of education: PROVIDED, That the superintendent of public instruction and the state board of education may require some or all of the school districts to report information directly when such reporting procedures are deemed desirable or feasible.



(2) Keep records of official acts of the intermediate school district board and superintendents in accordance with RCW 28A.21.120.

(3) Preserve carefully all reports of school officers and teachers and deliver to the successor of the office all records, books, documents, and papers belonging to the office either personally or through a personal representative, taking a receipt for the same, which shall be filed in the office of the county auditor in the county where the office is located.

NEW SECTION. Sec. 15. There is added to chapter 28A.21 RCW a new section to be codified as RCW 28A.21.112 to read as follows:

In addition to other powers and duties as provided by law, each intermediate school district superintendent shall:

(1) Administer oaths and affirmations to school directors, teachers, and other persons on official matters connected with or relating to schools, when appropriate, but not make or collect any charge or fee for so doing.

(2) Require the oath of office of all school district officers be filed as provided in RCW 28A.57.322 and furnish a directory of all such officers to the county auditor and to the county treasurer of the county in which the school district is located as soon as such information can be obtained after the election or appointment of such officers is determined and their oaths placed on file.

NEW SECTION. Sec. 16. There is added to chapter 28A.21 RCW a new section to be codified as RCW 28A.21.113 to read as follows:

In addition to other powers and duties as provided by law, each intermediate school district superintendent shall:

(1) Assist the school districts in preparation of their budgets as provided in chapter 28A.65 RCW.

(2) Enforce the provisions of the compulsory attendance law as provided in chapters 28A.27 and 28A.28 RCW.

(3) Perform duties relating to capital fund aid by nonhigh districts as provided in chapter 28A.56 RCW.

(4) Carry out the duties and issue orders creating new school districts and transfers of territory as provided in chapter 28A.57 RCW.

(5) Perform all other duties prescribed by law and the intermediate school district board.

Sec. 17. Section 12, chapter 176, Laws of 1969 ex. sess. as amended by section 18, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.120 are each amended to read as follows:

The intermediate school district board shall designate the headquarters office of the intermediate school district. The board of county commissioners in each county, when so requested by the

intermediate school district board, in each year prior to July 1, 1979, shall provide the intermediate school district superintendent and employees with suitable quarters and office, which shall include heating, contents insurance, electricity, and custodial services, for the operations of the intermediate school district. Commencing July 1, 1979, intermediate school districts shall provide for their own office space, heating, contents insurance, electricity, and custodial services, which may be obtained through contracting with any board of county commissioners. Official records of the intermediate school district board and superintendent, including each of the county superintendents abolished by chapter 176, Laws of 1969 ex. sess., shall be kept by the intermediate school district superintendent. Whenever the boundaries of any of the intermediate school districts are reorganized pursuant to RCW 28A.21.020, the state board of education shall supervise the transferral of such records so that each intermediate school district superintendent shall receive those records relating to school districts within the appropriate intermediate school district.

NEW SECTION. Sec. 18. Prior to November 1, 1974, the state board of education shall make a study of intermediate school district future physical plant needs and recommended methods for the funding thereof, such findings to be presented to the next regular session of the legislature for consideration and action thereon. Prior to November 1, 1974, the office of superintendent of public instruction shall make a study of the maintenance and operation funding for intermediate districts, including the impact of funding arrangements contemplated in this 1974 act, and present its findings along with a model for future funding of intermediate districts to the next regular session of the legislature.

NEW SECTION. Sec. 19. Section 43, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.145 are each hereby repealed.

Sec. 20. Section 18, chapter 176, Laws of 1969 ex. sess. as amended by section 24, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.180 are each amended to read as follows:

The county commissioners of each county shall pay the election costs of intermediate school board elections held in any year prior to July 1, 1979, and shall pay each year from their county current expense fund to the intermediate school district general expense fund of the intermediate school district or districts in which the county is located not less than the amount which the county appropriated to the budget of the county superintendent and/or intermediate district or districts and/or intermediate school district or districts for the year 1969: PROVIDED, That after December 31, 1976, the county commissioners of each county shall in each succeeding calendar year

reduce their respective appropriations to the intermediate school districts in level increments of one-fourth the 1969 appropriated amounts. In addition the county commissioners of each county shall pay for services other than those of the county treasurer((?)) and auditor((, and prosecutor)) provided to any county and/or intermediate district or districts and/or intermediate school district or districts for the year 1969 but not included in the 1969 budget of any county and/or intermediate district or districts and/or intermediate school district or districts; PROVIDED, That after June 30, 1979, the county commissioners of each county may terminate such services or charge the intermediate school districts for such services. The county treasurers((?)) and auditors((, and prosecutors)) shall provide their services without charge to the intermediate school districts.

NEW SECTION. Sec. 21. Section 25, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.185 are each hereby repealed.

NEW SECTION. Sec. 22. Section 20, chapter 176, Laws of 1969 ex. sess., section 27, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.190 are each hereby repealed.

NEW SECTION. Sec. 23. The superintendent of public instruction shall be responsible for the provision of legal services to all intermediate school districts: PROVIDED, That any intermediate school district board may contract with any county for the legal services of its prosecuting attorney.

NEW SECTION. Sec. 24. If any provision of this 1974 amendatory 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.

Passed the House January 21, 1974.  
Passed the Senate February 7, 1974.  
Approved by the Governor February 15, 1974.  
Filed in Office of Secretary of State February 15, 1974.

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CHAPTER 76  
[House Bill No. 1226]  
MUNICIPAL TRANSIT VEHICLES

AN ACT Relating to motor vehicles; amending section 46.44.095, chapter 12, Laws of 1961 as last amended by section 3, chapter 150, Laws of 1973 1st ex. sess. and RCW 46.44.095; amending section 46.04.620, chapter 12, Laws of 1961 and RCW 46.04.620; amending section 46.44.030, chapter 12, Laws of 1961 as last amended by section 2, chapter 248, Laws of 1971 ex. sess. and