

CHAPTER 395.

[Sub. H. B. 298.]

EDUCATION—ORGANIZATION OF SCHOOL DISTRICTS.

AN ACT relating to education; providing for changes in the organization of school districts; amending section 2, chapter 266, Laws of 1947 and RCW 28.57.020; section 13, chapter 266, Laws of 1947 and RCW 28.57.050; section 14, chapter 266, Laws of 1947 and RCW 28.57.060; section 1, chapter 87, Laws of 1951 and RCW 28.57.070; and section 21, chapter 266, Laws of 1947 and RCW 28.57.090; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 2, chapter 266, Laws of 1947 and RCW 28.57.020 are each amended to read as follows:

Amendment.

As used in this chapter:

(1) "Change in the organization and extent of school districts" means the formation and establishment of new school districts, the dissolution of existing school districts, the alteration of the boundaries of existing school districts, or all of them.

Defined.
"Change in the organization and extent of school districts."

(2) "County committee" and "state board" mean, respectively, the county committee on school district organization created by this chapter, and the state board of education.

"County committee."
"State board."

(3) "School district" means the territory under the jurisdiction of a single governing board designated and referred to as the board of directors.

"School district."

(4) "Heretofore" and "hereafter" mean, respectively, prior and subsequent to the effective date of this act.

"Heretofore."

SEC. 2. Section 13, chapter 266, Laws of 1947 and RCW 28.57.050 are each amended to read as follows:

Amendment.

The powers and duties of the county committee shall be:

County committee powers and duties.

(1) To initiate, on its own motion and whenever it deems such action advisable, proposals for changes in the organization and extent of school districts in

Proposals for organizational changes.

Proposals for change in extent of districts.

Procedure.

Plan of changes to be submitted.

the county; to receive, consider, and revise, whenever in its judgment revision is advisable, proposals initiated by petition or presented to the committee by the county superintendent as provided for in this chapter; and to prepare and submit to the state board any of the aforesaid proposals that are found by the county committee to provide for satisfactory improvement in the school district system of the county and state: *Provided*, That the committee shall prepare and submit to the state board within one and one-half years after the effective date of this amendatory act a comprehensive plan for changes in the organization and extent of the school districts of the county, which plan may be submitted as a single unit or as separate units submitted from time to time and involving one or more school districts: *Provided further*, That if the county committee finds, after considering the factors listed in subsection (4) of this section, that no changes in the school district organization of the county are needed a report to this effect shall be submitted to the state board.

Make equitable adjustments between counties.

(2) (a) To make among the old school districts and the new district or districts, if any, involved in or affected by a proposed change in the organization and extent of school districts an equitable adjustment of the property and other assets and of the liabilities, including bonded indebtedness, of all districts involved or affected; and (b) to make among all of the school districts involved in or affected by any change heretofore or hereafter effected, an equitable adjustment of the bonded indebtedness outstanding against any of the aforesaid districts whenever in its judgment such adjustment is advisable; and (c) to submit to the state board the proposed terms of adjustment and a statement of the reasons therefor in each case. In making the adjustments herein provided for, the county committee shall consider the

Submit to board proposed terms.

Considerations.

number of children of school age resident in and the assessed valuation of the property located in each district and in each part of a district involved or affected; the purpose for which the bonded indebtedness of any district was incurred; the value, location, and disposition of all improvements located in the districts involved or affected; and any other matters which in the judgment of the committee are of importance or essential to the making of an equitable adjustment.

(3) To hold and keep a record of a public hearing or public hearings (a) on every proposal for the formation of a new district or for the transfer from one existing district to another of any territory in which children of school age reside or for annexation of territory when the conditions set forth in RCW 28.57.190 prevail; and (b) on every proposal for adjustment of the assets and of the liabilities of school districts provided for in this chapter. Three members of the county committee or two members of the committee and the county superintendent may be designated by the committee to hold any public hearing that the committee is required to hold. The county committee shall cause to be posted, at least ten days prior to the date appointed for any such hearing, a written or printed notice thereof (a) in at least three of the most public places in the territory of each proposed new district or of each established district when such district is involved in a question of adjustment of bonded indebtedness, (b) in at least one public place in territory proposed to be transferred or annexed to an existing school district, (c) on the school house door of each district involved in or affected by any proposed change or adjustment upon which a public hearing is required; and (d) at the place or places of holding the hearing.

Hold and keep records of public hearings on following.

Notices posted.

(4) To give due consideration in the preparation of plans and terms of adjustment as aforesaid (a)

Considerations.

to equalization of the educational opportunities of pupils and to economies in the administration and operation of schools through the formation of larger units of administration and areas of attendance; (b) to equalization among school districts of the tax burden for general fund and capital purposes through a reduction in disparities in per-pupil valuation; (c) to geographical and other features, including, but not limited to such physical characteristics as mountains, lakes and rivers, waste land, climatic conditions, highways, and means of transportation; (d) to the convenience and welfare of pupils, including but not limited to remoteness or isolation of their places of residence and time required to travel to and from school; (e) to improvement of the educational opportunities of pupils through improvement and extension of school programs and through better instruction, facilities, equipment, materials, libraries, and health and other services; (f) to equalization of the burden of financing the cost of high school facilities through extension of the boundaries of high school districts to include within each such district all of the territory served by the high school located therein: *Provided*, That a non-high school district may be excluded from a plan if such district is found by the county committee and the state board to be so situated with respect to location, present and clearly foreseeable future population, and other pertinent factors as to warrant the establishment and operation of a high school therein or the inclusion of its territory in a new district formed for the purpose of establishing and operating a high school; (g) to the future effective utilization of existing satisfactory school buildings, sites, and playfields; the adequacy of such facilities located in the proposed new district; and additional facilities required if such proposed district is formed; and (h) to any other matters which in the judgment of the committee are related to or may operate to further equalization

Exclusion of
nonhigh school
district
possible.

and improvement of school facilities and services, economies in operating and capital fund expenditures, and equalization among school districts of tax rates for school purposes.

(5) To prepare and submit, along with the submission of the proposals designated in subsection (1) of this section, a map showing the boundaries of existing districts affected by any proposed change and the boundaries, including a description thereof, of each proposed new district or of each existing district as enlarged or diminished by any proposed change, or both; a summary of the reasons for the proposed change; and such other reports, records, and materials as the state board may request.

Information prepared and submitted with proposals.

(6) To divide into five school directors' districts (a) all new school districts established pursuant to the provisions of this chapter, and (b) all existing districts the boundaries of which are hereafter extended by the annexation thereto of the whole of another district, and (c) all existing districts not heretofore so divided in conformity with the requirements of law in effect prior to the date this act takes effect: *Provided*, That no school district shall be so divided if it contains a city having a population in excess of seven thousand or is a school district of the third class. The boundaries of each directors' district shall be so established that each such district shall comprise as nearly as practicable an equal portion of the population of the school district.

Divide into five school directors' districts following.

No division.

(7) To rearrange at any time the committee deem such action advisable in order to correct inequalities caused by changes in population, the boundaries of any of the directors' districts of any school district heretofore so divided except a district of the third class, and of any district hereafter so divided: *Provided*, That a petition therefore, signed by at least five heads of families residing in the aforesaid school district, is presented to the county super-

Rearrange boundaries of directors' districts.

Petition.

Public hearing.

intendent and a public hearing thereon is held by the county committee, which hearing shall be called and conducted in the manner prescribed in subsection (3) of this section, except that notice thereof shall be posted in some public place in each directors' district of the school district and on the school house door of the district and at the place of holding the hearing.

Notice.

Report to superintendent of public instruction.

(8) To prepare and submit to the superintendent of public instruction, upon his request, a report and recommendations respecting the urgency of need for school plant facilities, the kind and extent of the facilities required, and the development of improved local school administrative units and attendance areas in the case of school districts that seek state assistance in providing school plant facilities.

Amendment.

SEC. 3. Section 14, chapter 266, Laws of 1947 and RCW 28.57.060 are each amended to read as follows:

Powers and duties of state board.

The powers and duties of the state board with respect to this chapter shall be:

(1) To aid county committees in the performance of their duties by furnishing them with plans of procedure, standards, data, maps, forms, and other necessary materials and with services essential to a study and understanding of the problems of school district organization in the county.

(2) To receive, file and examine the proposals and the maps, reports, records, and other materials relating thereto submitted by county committees and to approve such proposals and so notify the county committees when said proposals are found to provide for satisfactory improvement in the school district system of the counties and the state and for an equitable adjustment of the assets and liabilities of the districts involved or affected: *Provided*, That whenever such proposals are found by the state board to be unsatisfactory or inequitable, the board shall so notify the county committee and shall, on request, assist the committee in making revisions

which revisions shall be resubmitted within sixty days after such notification.

SEC. 4. Section 1, chapter 87, Laws of 1951 and RCW 28.57.070 are each amended to read as follows: Amendment.

Upon receipt by the county committee of such notice from the state board as is required in RCW 28.57.060 (2), the county superintendent shall make an order establishing all approved changes involving the alteration of the boundaries of an established school district or districts and all approved terms of adjustment involving an established district or districts the boundaries of which have been or are hereafter altered in the manner provided by law, and shall certify his action to the county auditor for the board of county commissioners, and to the county treasurer, the county assessor and the clerks of all school districts affected by such action. Upon receipt of such certification the clerk of each school district which is annexed to another district by the action shall deliver to the proper school district officer of the district all books, papers, documents, records, and other materials pertaining to his office. Procedure upon receipt of notice from state board as is required in RCW 28.57.060.

In case the aforesaid approval by the state board concerns a proposal to form a new school district or a proposal for adjustment of bonded indebtedness involving an established school district and one or more former school districts now included therein pursuant to a vote of the people concerned, a special election of the voters residing within the territory of the proposed new district or of the established district involved in a proposal for adjustment of bonded indebtedness as the case may be shall be held for the purpose of affording said voters an opportunity to approve or reject such proposals as concern or affect them. Special election.

In a case involving both the question of the formation of a new district and the question of adjustment of bonded indebtedness, the questions may be

submitted to the voters either in the form of a single proposition or as separate propositions, whichever to the county superintendent seems expedient. The county superintendent shall perform in connection with the calling and conducting of the special elections provided for in this chapter all duties that are required by law to be performed by a board of directors and the clerk or secretary of a school district in connection with the calling and conducting of school district elections.

Amendment.

SEC. 5. Section 21, chapter 266, Laws of 1947 and RCW 28.57.090 are each amended to read as follows:

Special election; requirement for proposition approval.

Whenever a special election is held to vote on a proposal to form a new school district or on a proposal for adjustment of bonded indebtedness or on both such proposals the entire vote cast by the electors of the proposed new district or of the established district as the case may be shall be tabulated and any proposition shall be considered approved if a majority of sixty percent of all votes cast thereon is in the affirmative.

Procedure upon approval.

In the event of approval of a proposition or propositions voted on at a special election, the county superintendent shall: (1) Make an order establishing such new district or such terms of adjustment of bonded indebtedness or both, as were approved by the voters and shall also order effected such other terms of adjustment, if there be any, of property and other assets and of liabilities other than bonded indebtedness as have been approved by the state board; (2) certify his action to the county and school district officers specified in RCW 28.57.070; and (3) designate the new district by name and by a number different from that of any component thereof or of any other district in existence in the county.

Suggested date for county superintendent's orders.

The county superintendent may, if he deems such action advisable, fix, as the effective date of any order or orders he is required by this chapter to make, the

first day of July next succeeding the date of final approval of any change in the organization and extent of school districts or of any terms of adjustment of the assets and liabilities of school districts.

Upon receipt of the aforesaid certification, the clerk of each school district which is included in the new district shall deliver to the proper school district officer of the new district all books, papers, documents, records, and other materials pertaining to his office.

SEC. 6. If any part or parts of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of any other part or parts of this act. Invalidity.

SEC. 7. This act is necessary for the immediate preservation of public peace, health and safety, support of the state government and its existing public institutions, and shall take effect on April 1, 1955. Effective date.

Passed the House March 1, 1955.

Passed the Senate March 9, 1955.

Approved by the Governor March 22, 1955.

CHAPTER 396.

[S. B. 104.]

TAXATION—TEMPORARY, LIQUOR.

AN ACT relating to revenue and taxation; amending section 5, chapter 91, Laws of 1953 and RCW 82.08.150; adding two new sections to chapter 82.08 RCW; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 5, chapter 91, Laws of 1953 and RCW 82.08.150 are each amended to read as follows: Amendment.

There is levied and shall be collected from and after the first day of November, 1951, until the Tax levied and collected.