

SEC. 2. Section 7, chapter 163, Laws of 1945 (sec. 7525-46, Rem. Rev. Stat.; sec. 679-42(15), PPC) is amended to read as follows:

Sale of property by Board of Control.

Section 7. Any such Board of Control shall have authority to be exercised by a majority of the voting power of the Board to sell at such price and upon such terms as may be fixed by said Board and any real or personal property owned by the Board of Control and to authorize the execution by the president and secretary of said Board of a good and sufficient conveyance therefor, and said Board may sue or be sued in any of the Courts of this state without joining the person, corporation or district for whose benefit the suit may be prosecuted or defended.

Conveyance.

Board of Control may sue and be sued.

Passed the House March 4, 1947.

Passed the Senate March 9, 1947.

Approved by the Governor March 20, 1947.

CHAPTER 266.

[S. H. B. 105.]

SCHOOL DISTRICTS.

AN ACT relating to education; defining terms; providing for changes in the organization and extent of school districts; creating county agencies and prescribing procedures therefor; providing for adjustments of assets and liabilities of school districts; providing for classification of and for boards of directors of school districts; prescribing powers and duties of school district, county, and state officers in certain cases; providing for tax levies in certain cases; providing for appeals; repealing certain acts and parts of acts and all acts and parts of acts in conflict herewith; and declaring an emergency.

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

Purpose of act.

SECTION 1. It is the intent and purpose of this act (a) to incorporate into a single, permanent, school district organization law all essential provisions governing the formation and establishment of

new school districts, the alteration of the boundaries of existing districts, and the adjustment of the assets and liabilities of school districts when changes are made as aforesaid, and in so doing to replace the inadequate and restrictive old acts and parts of acts governing such changes and adjustments; and (b) to establish methods and procedures whereby the aforesaid changes in the school district system may be brought about by the people concerned and affected, all to the end that the territorial organization of school districts may be more readily adapted to the needs of the changing economic pattern and educational program in the state; that existing disparities among school districts in ability to provide current and capital outlay funds may be reduced and the educational opportunities of children thereby enhanced; and that a wiser use of public funds may be secured through improvement in the school district system.

To provide one act pertaining to district re-organization.

Changes to be effected by people concerned.

Educational opportunities to be enhanced.

Wiser use of public funds.

SEC. 2. The following terms, wherever used in this act, shall have the meaning as in this section ascribed to them, unless where used the context thereof shall clearly indicate to the contrary:

Definitions.

(a) "Change in the organization and extent of school districts" shall mean the formation and establishment of new school districts and/or the dissolution of existing school districts and/or the alteration of the boundaries of existing school districts.

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

(b) "State Board" and "County Committee" shall mean respectively the State Board of Education and the County Committee on school district organization, respectively, created by this act.

"State Board."

"County Committee."

(c) "School district" shall mean the territory under the jurisdiction of a single governing board hereinafter in this act designated and referred to as the board of directors.

"School district."

(d) "Heretofore" and "hereafter" shall mean, respectively, prior to and subsequent to the date this act takes effect.

"Heretofore."

"Hereafter."

Name of District.

SEC. 3. A school district shall be organized in form and manner as hereinafter provided, and shall be known as (insert here the name of the district) School District No.,County, State of Washington: *Provided*, That all school districts now existing as shown by the records of the County Superintendent are hereby recognized as legally organized districts.

Formation of new districts.

SEC. 4. A new school district may be formed comprising contiguous territory lying in a single county or in two (2) or more counties. Such new district may comprise two (2) or more whole school districts and/or a part of one (1) or more school districts and/or territory which is not a part of any school district. The boundaries of existing school districts

Alteration of boundaries.

may be altered (a) by the transfer of territory from one district to another district, or (b) by the annexation to a district of a part or all of one (1) or more other districts or of territory which is not a part of any school district: *Provided*, That such territory shall be contiguous to the district to which it is transferred or annexed. Territory may be transferred or annexed to an existing school district without regard to county boundaries.

Cities within school districts.

SEC. 5. Each incorporated city in the state shall be comprised in one (1) school district: *Provided*, That nothing in this section shall be so construed as (a) to prevent the extension of the boundaries of a school district beyond the limits of the city contained therein, or (b) to prevent the inclusion of two (2) or more incorporated cities in a single school district, or (c) to change or disturb the boundaries of any school district organized prior to the incorporation of any city, except in case of the extension of the limits of a city beyond the boundaries of the school district in which it is situated, or the incorporation of a city containing territory lying in two (2) or more school districts organized prior to the incor-

poration of such city, or the uniting of two (2) or more cities not located in the same school district. In case all or any part of a school district is included in an incorporated city through the extension of the limits of such city in the manner provided by law, the County Superintendent (a) shall declare the territory so included to be a part of the school district containing the city, and (b) shall, whenever a part of a district so included contains the school house of the district, present to the County Committee hereinafter in this act provided for a proposal for the disposition of the remaining territory of the district; and in case of the incorporation of a city containing territory lying in two (2) or more school districts or of the uniting of two (2) or more cities not located in the same school district in the manner provided by law, the County Superintendent (a) shall order and declare to be established in each such case a single school district comprising all of the school districts involved, and (b) shall designate each such district by name and by a number different from that of any component thereof or of any other district in existence in the county: *Provided*, That the County Superintendent may, if he deems such action advisable, fix as the effective date of the aforesaid declaration or order the first day of July next succeeding the date of the extension of the limits of the city or of the incorporation of the city or of the uniting of the two cities, as the case may be.

Effect of inclusion of another district in city by extension of city boundaries.

Effect of incorporation of new city.

Consolidation of cities.

Establishment of new district.

Date of establishment.

SEC. 6. A school district shall constitute a body corporate and shall possess all the usual powers of a corporation for public purposes, and in that name and style may sue and be sued, may purchase, hold, and sell personal property and real estate, and enter into such obligations as are authorized by law. The Board of Directors of the school district shall have exclusive control of all school buildings and other property, real or personal, owned by the district.

District is body corporate.

Directors control property.

Outstanding bonds do not prevent re-organization.

Adjustment of bonded indebtedness.

Adjustment of other assets and liabilities.

When entire old district is included in new district.

Corporate entity remains until bonds paid.

County commissioners to levy taxes.

SEC. 7. The fact of the issuance of bonds by a school district, heretofore or hereafter, shall not prevent changes in the organization and extent of school districts, regardless of whether or not such bonds or any part thereof are outstanding at the time. In case of any such change (a) the bonded indebtedness outstanding against any school district involved in or affected by such change shall be adjusted equitably among the old school districts and the new district or districts, if any, involved or affected; and (b) the property and other assets and the liabilities other than bonded indebtedness of any school district involved in or affected by any such change shall also be adjusted in the manner and to the effect hereinbefore in this section provided for, except when all the territory of an old school district is included in a single new district or is annexed to a single existing district, in which event the title to the property and other assets and the liabilities other than bonded indebtedness of such old district shall vest in and become the assets and liabilities of the new district or of the existing district as the case may be.

SEC. 8. Each school district involved in or affected by any change heretofore or hereafter made in the organization and extent of school districts shall retain its corporate existence in so far as is necessary for the purpose until the bonded indebtedness outstanding against it on and after the effective date of said change has been paid in full: *Provided*, That nothing in this section shall be so construed as to prevent, after the aforesaid effective date, such adjustments of bonded indebtedness as are provided for in this act. The County Commissioners shall have the power and it shall be their duty to provide by appropriate levies on the taxable property of each school district for the payment of the bonded indebtedness outstanding against it after any of the aforesaid changes and/or adjustments have

been effected. In case any such changes or adjustments involve a joint school district, the tax levy for the payment of any bonded indebtedness outstanding against such joint district after said changes or adjustments are effected shall be made and the proceeds thereof shall be transmitted, credited, and paid out in conformity with the provisions of law applicable to the payment of the bonded indebtedness of joint school districts heretofore established.

SEC. 9. Any school district in the state having a population in excess of ten thousand (10,000), as shown by any regular or special census or by any other evidence acceptable to the County Superintendent, shall be a school district of the first class. Any other school district maintaining a fully accredited high school or containing a city of the third class or of the fourth class or an area of one (1) square mile having a population of at least three hundred (300) shall be a school district of the second class. All other school districts shall be school districts of the third class. Whenever the County Superintendent finds that the classification of a school district should be changed, he shall make an order in conformity with his findings and alter the records of his office accordingly. Thereafter the board of directors of the district shall organize in the manner provided by law for the organization of the board of a district of the class to which said district then belongs.

First class districts.

Second class districts.

Third class districts.

Change of classification.

SEC. 10. The governing board of a school district shall be known as the Board of Directors of the district. Unless otherwise specifically provided by this act or by other provisions of law, members of a Board of Directors shall be elected by ballot by the qualified electors of the school district and shall hold office for a term of three (3) years and until their successors are elected and qualified. In case a member or members of a Board of Directors are to be

Directors.

Election.

Term.

Unexpired term.

elected to fill an unexpired term or terms, the ballot shall specify the term for which each such member is to be elected. The Board of Directors of a school district of the first class or of a school district of the second class shall consist of five (5) members. The Board of Directors of a school district of the third class shall consist of three (3) members.

Number of directors.

County Committee on school district organization.

SEC. 11. There is hereby created in each county a committee which shall be known as the County Committee on school district organization, which committee shall be composed of not less than five (5) nor more than nine (9) representative citizens of the county, the number in each county to be determined by the persons hereinafter charged with the duty of electing the members of the committee. Neither the County Superintendent nor an employee of a school district shall be a member of the County Committee. The members of the County Committee shall be elected by the County Superintendent and the members of the Board of Directors of the school districts of the county at a meeting which the County Superintendent shall call for the purpose. At least one (1) member of the County Committee shall be elected from among the residents of each County Commissioner's district in the county; and, as nearly as possible, an equal number of members shall be elected from among the residents of each class of school district (first, second, or third class) in the county. No member of a County Committee shall continue to serve thereon if he ceases to be a resident of the county or if he is absent from three (3) consecutive meetings of the Committee without an excuse acceptable to the Committee. Vacancies in the membership of the County Committee shall be filled by the persons charged with the duty of electing the members of the Committee: *Provided*, That the Committee may fill vacancies in its membership pending the calling of a meeting of said persons for

Number of members.

Election of members.

Residential requirements.

Vacancies.

this purpose by the County Superintendent. The terms of members of the County Committee shall be for five (5) years and until their successors are elected: *Provided*, That the terms of the members first elected shall be determined by lot to the end that as nearly as possible thereafter one-fifth ($\frac{1}{5}$) of the members shall be elected annually. Members of the County Committee shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of their duties.

Five-year terms.

Staggered terms.

SEC. 12. The County Committee shall organize by electing from its membership a chairman and a vice chairman. The County Superintendent shall be the secretary of the Committee. Meetings of the Committee shall be held upon call of the chairman or of a majority of the members thereof. A majority of the Committee shall constitute a quorum.

Officers.

Quorum.

SEC. 13. The powers and duties of the County Committee shall be:

Powers and duties of the County Committee.

(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 the county; and 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 act; 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 the state.

Initiate proposals.

Receive proposals.

Recommend to State Board.

(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

Make adjustments of assets and liabilities between districts.

Submit proposed adjustments to State Board.

Matters to be considered in making adjustments.

Hold hearings.

Part of committee may hold hearings.

Notice of hearing.

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 of the aforesaid cases. In making the adjustments herein provided for, the County Committee shall consider the 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 the aforesaid 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 section 17 of this act prevail; and (b) on every proposal for adjustment of the assets and of the liabilities of school districts provided for in this act. Three (3) members of the County Committee or two (2) 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 twenty (20) days prior to the date appointed for any such hearing, a written or printed notice thereof (a) in at least three (3) 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, and (b) in at least one (1) public place in territory proposed to be transferred or annexed to an existing school district, and (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.

(4) To give due consideration in the preparation of the aforesaid proposals (a) to the equalization of the educational opportunities of pupils, (b) to the educational needs of local communities, (c) to economies in the administration and operation of schools and in transportation costs, (d) to the convenience and welfare of pupils, (e) to a reduction in disparities in per-pupil valuation among school districts, (f) to equalization of the burden of financing the cost of high school facilities through an 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, (g) to the future use of existing satisfactory school buildings, sites, and playfields, and (h) to any other matters which in its judgment are of importance.

Matters to be considered in preparing proposals.

(5) To prepare and submit, along with the submission of the proposals designated in subsection one (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 and/or of each existing district as enlarged or diminished by any proposed change; a summary of the reasons for the proposed change; and such other reports, records, and materials as the State Board may request.

Prepare and submit maps.

(6) To divide into five (5) school director's districts (a) all new school districts established pursuant to the provisions of this act, and (b) all existing districts the boundaries of which are hereafter extended by the annexation thereto of the whole of

Define director's districts.

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 (7,000) or is a school district of the third class. The boundaries of each director's 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.

Third class districts and districts containing city of 7,000 or more.

Rearrange director's districts.

(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 director's districts of any school district heretofore so divided except a district of the third class, and of any district hereafter so divided:

Petition required.

Provided, A petition therefor, signed by at least five (5) heads of families residing in the aforesaid school district, is presented to the County Superintendent and a public hearing thereon is held by the County Committee, which hearing shall be called and conducted in the manner prescribed herein for calling and conducting other public hearings, except that notice thereof shall be posted in some public place in each director's district of the school district and on the school house door of the district and at the place of holding the hearing.

Hearing.

Notice.

Report to Superintendent of Public Instruction.

(8) To prepare and submit to the Superintendent of Public Instruction, upon request of said officer, 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.

Powers and duties of the State Board.

SEC. 14. The powers and duties of the State Board with respect to this act 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.

Aid County Committees.

(2) To receive, file, and examine the proposals and the maps, reports, records, and other materials relating thereto submitted by County Committees in the discharge of their duties as prescribed in this act; to advise County Committees in writing on the question of whether or not such proposals 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; and to assist County Committees in the revision of the aforesaid proposals when so requested by such Committees.

Receive data from County Committees.

Advise County Committees, etc.

SEC. 15. For the purpose of forming a new school district, a petition in writing may be presented to the County Superintendent, in his capacity as secretary of the County Committee, signed either by five (5) heads of families or by a majority of the heads of families residing (a) in each whole district and in each part of a district proposed to be included in any single new district, or (b) in the territory of a proposed new district which comprises a part only of one (1) or more districts. The aforesaid petition shall state the name and number of each district involved in or affected by the proposal to form the new district and shall describe the boundaries of the proposed new district.

Petition for formation of new school district.

Contents.

SEC. 16. For the purpose of transferring territory from one school district to another district, a petition in writing may be presented to the County Superintendent, in his capacity as secretary of the County Committee, signed by a majority of the heads of families residing in the territory proposed to be trans-

Petition to transfer territory from one district to another.

Contents.

Power of County Superintendent.

When district with no high school is bounded on three sides by districts with high schools.

When district has average daily attendance of less than five.

Minimum term not maintained.

Territory not a part of any district

ferred, or by the board of directors of one (1) of the districts affected by a proposed transfer of territory if there be no family resident in the territory, which petition shall state the name and number of each district affected, describe the boundaries of the territory proposed to be transferred, and state the reasons for desiring said change and the number of children of school age, if any, residing in the territory: *Provided*, That the County Superintendent may, without being petitioned to do so, present to the County Committee a proposal for the transfer from one school district to another of any territory in which no children of school age reside.

SEC. 17. Whenever all or any part of a school district in which no accredited high school is maintained is bounded on three (3) or more sides by a school district in which an accredited high school is situated and maintained, the County Superintendent shall report said fact to the County Committee, which Committee shall consider the question of the annexation to the aforesaid high school district of the territory so bounded.

SEC. 18. In case any school district shall have an average daily attendance of fewer than five (5) pupils or shall not have maintained, during the last preceding school year at least the minimum term of school required by law, the County Superintendent shall report said fact to the County Committee, which Committee shall give consideration to the question of the dissolution of the school district and the annexation of the territory thereof to some other district or districts. In case any territory is not a part of any school district, the County Superintendent shall present to the County Committee a proposal for the annexation of said territory to some contiguous district or districts.

SEC. 19. Upon receipt and consideration by the County Committee of such statement from the State

Board as is required in section 14, subsection 2, of this act, the committee shall take action respecting the disposition of the proposed changes and proposed terms of adjustment dealt with therein. Upon approval by the County Committee of any proposed changes or terms of adjustment, the County Superintendent shall make an order establishing such approved changes and terms of adjustment as do not concern a proposal to form a new school district and/or a proposal for adjustment of bonded indebtedness, 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 said action. Upon receipt of such certification the clerk of each school district which is annexed to another district by the aforesaid action shall deliver to the proper school district officer of said district all books, papers, documents, records, and other materials pertaining to his office. In case the aforesaid approval by the County Committee concerns a proposal to form a new school district and/or a proposal for adjustment of bonded indebtedness, a special election of the voters residing within the territory of the proposed new district or of an established district involved in a proposal for adjustment of bonded indebtedness shall be held for the purpose of affording said voters an opportunity to approve or reject such proposals as concern or affect them. In a case involving both the question of the formation of a new district and the question of adjustment of bonded indebtedness, said 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 is hereby empowered and required to perform in connection with the calling and conducting of the special elections provided for in this act all duties that are required by law to be performed

Action
by County
Committee
after advice
from State
Board.

When plan
does not pro-
pose a new
district or
adjustment
of bonded in-
debtedness.

When plan
does include
formation
of new
district or
adjustment
of bonded in-
debtedness.

When both
questions
involved.

Duty of
County
Superinten-
dent.

by a board of directors and/or the clerk or secretary of a school district in connection with the calling and conducting of school district elections.

Posting notice of special election.

SEC. 20. Such written or printed notice of the aforesaid special election as is required by law shall be posted (a) in at least three (3) of the most public places in the territory of a proposed new district or of an established district involved in a proposal for adjustment of bonded indebtedness, and (b) on the school house door of each district included in the proposed new district, and (c) in some public place in the territory of each part of a district included in the proposed new district, and (d) at the place or places of holding the election. The aforesaid notice shall state the purpose for which the election has been called and shall contain a description of the boundaries of the proposed new district and a statement of any terms of adjustment of bonded indebtedness to be voted on.

Contents of notice.

Each district must approve formation of new district.

SEC. 21. Whenever a special election is held, pursuant to the provisions of this act, to vote on the formation of a proposed new school district, the votes cast by the voters in each component district shall be tabulated separately and the proposition shall be considered approved only if it receives a majority of the votes cast in each separate district voting thereon. Whenever a special election is held pursuant to the provisions of this act, for purposes other than formation of a new school district, the entire vote of the established district shall be tabulated and the proposition shall be considered approved if a majority of all votes cast on the proposition or propositions, are in the affirmative. In the event of approval of a proposition or propositions voted on at a special election, the County Superintendent shall (a) make an order establishing such new district and/or such terms of adjustment of bonded indebtedness as were approved by the voters

Total majority vote governs on other issues.

Order establishing new district.

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 County Committee; (b) certify his action to the county and school district officers specified in section 19 of this act; and (c) 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: *Provided*, That the County Superintendent may, if he deems such action advisable, fix, as the effective date of any order or orders that he is required by this act 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 and/or of any terms of adjustment of the assets and liabilities of school district made pursuant to the provisions of this act. 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.

Provide terms of adjustments.

Certification.

Name and number of new district.

Effective date of order.

Transfer of books and records.

SEC. 22. If a proposal for the formation of a new school district and/or for adjustment of bonded indebtedness is rejected by the voters at the aforesaid election, the County Committee may make such revisions therein as it deems advisable and submit the revised proposal or proposals to the State Board. Thereafter such revised proposal or proposals shall be subject to the provisions and procedural requirements of this act applicable to original proposals submitted to said Board.

Rejection of proposal by voters.

SEC. 23. Upon the establishment of a new school district which contains a city having a population of more than seven thousand (7,000), the board of directors of the old district comprising such city shall become the board of the new district and each

Directors of new district containing city of 7,000 or more.

When two new directors appointed.

member thereof shall serve for the term for which he was elected: *Provided*, That if three (3) directors constitute the board of any such old district, two (2) additional directors shall be appointed for the new district in the manner provided by law for filling a vacancy on the board of a district of the class to which such new district belongs. The additional directors so appointed shall serve until the next annual school election in the district and until their successors are elected and qualified, at which election three (3) directors shall be elected, one

Term of new directors.

(1) for a term of one (1) year, one (1) for two (2) years, and one (1) for three (3) years. Upon the establishment of a new school district which includes two (2) or more old districts each of which contains a city having a population of more than seven thousand (7,000), all of the directors of the aforesaid old districts shall constitute the board of directors of the new district until the next annual school election in said district and until their successors are elected and qualified, at which election there shall be elected five (5) directors, one (1) for a term of one (1) year, two (2) for two (2) years, and two (2) for three (3) years. In case any new school district established through the incorporation of a city or through the uniting of two or more cities, pursuant to the provisions of section five (5) of this act, contains a city having a population of more than seven thousand (7,000), all of the directors of the old districts included in the new district so established shall constitute the board of directors of the new district and shall serve until the next annual school election in the district and until their successors are elected and qualified. At such election there shall be elected five (5) directors, one (1) for a term of one (1) year, two (2) for two (2) years, and two (2) for three (3) years.

Directors of new district comprising 2 or more old districts each containing city of 7,000 or more.

Election and terms of new directors.

Directors of new district established through incorporation of a city or union of cities.

Election and terms of new directors.

SEC. 24. The directors of the old school districts who reside within the limits of a new school district that is divided into directors' districts in conformity with the provisions of this act shall meet at the call of the County Superintendent and elect from among their number five (5) directors for the new district, no two (2) of whom shall be residents of the same school director's district: *Provided*, That if one (1) or more of the directors' districts of said new school district has no such director residing therein, the County Superintendent shall appoint the number of additional directors required to constitute a board of five (5) directors for the school district, no two (2) of whom shall be residents of the same school director's district. Upon the establishment of a new school district of the third class, the directors of the old school districts who reside within the limits of the new district shall meet at the call of the County Superintendent and elect from among their number three (3) directors for said new district: *Provided*, That if fewer than three (3) such directors reside in such new school district, they shall become directors of said district, and the County Superintendent shall appoint the number of additional directors required to constitute a board of three (3) directors for the district. Each board of directors constituted as provided for in this section shall proceed at once to organize in the manner prescribed by law and thereafter shall have all of the powers and authority conferred by law upon boards of directors of other districts of the same class until the next annual school election in the district and until their successors are elected and qualified. At such election there shall be elected the number of directors (either five (5) directors or three (3) directors) heretofore in this section required to constitute the board of the district. When five (5) directors constitute the board, one (1) shall be elected from among the

Election of new directors by directors of old district who reside in new district.

When County Superintendent appoints.

Procedure in new district of third class.

When County Superintendent appoints.

Powers and duties of boards.

Election and terms of new directors.

residents of each of the five (5) directors' districts of the school district by the electors of the entire school district, one (1) such director for a term of one (1) year, two (2) for two (2) years, and two (2) for three (3) years; when three (3) directors constitute the board, they shall be elected at large by the electors of the school district, one (1) for a term of one (1) year, one (1) for two (2) years, and one (1) for three (3) years.

Joint school district.

SEC. 25. Any school district composed of territory lying in more than one (1) county shall be known as a joint school district, and shall be designated by a separate number for each county in which any part of its territory may lie.

Joint action by county committees and county superintendents when territory in more than one county is involved.

SEC. 26. The duties herein imposed upon and required to be performed by a County Committee or by a County Superintendent in connection with a change in the organization and extent of school districts and/or with the adjustment of the assets and liabilities of school districts and with all matters related to such change or adjustment whenever territory lying in a single county is involved shall be performed jointly by the County Committees or by the County Superintendents of the several counties whenever territory lying in more than one (1) county is involved: *Provided*, That a County Committee may designate three (3) of its members, or two (2) of its members and the County Superintendent, as a subcommittee to serve in lieu of the whole committee, but action by a subcommittee shall not be binding unless approved by the whole committee of the county. Proposals for changes in the organization and extent of school districts and proposed terms of adjustment of assets and liabilities thus prepared and approved shall be submitted to the State Board (a) by the County Committee of the county in which is situated the high school of the proposed new district or of the established dis-

Sub-committees authorized.

Submission of proposals to State Board.

trict proposed to be enlarged, or (b) in case no high school district is involved in the proposed change, by the County Committee of the county in which the school house of the district is situated, or (c) if there be no school house in the district or more than one (1) school house, by the County Committee of the county in which is located the part of the district having the largest number of children of school age residing therein.

Which county submits proposals.

SEC. 27. For all purposes essential to the maintenance, operation, and administration of the schools of a district, including the apportionment of current state and county school funds, a joint school district shall be considered as belonging to the county in which the high school of said district is situated, or in case no high school is operated by the district, to the county in which is situated the school house of the district or the school with the largest attendance, if there be more than one (1) school house. If there is no school house in the joint district, said district shall then be considered as belonging to the county in which is located that part of the district having the largest number of children of school age residing therein.

Joint school district deemed to belong to particular county for administrative purposes.

How county determined.

SEC. 28. Every director or clerk of a joint school district shall, on assuming the duties of his office, file his certificate of election or appointment, his oath of office or certified copies thereof, and his signature with the County Superintendent of the county to which said district belongs, which signature shall be placed on file with the County Auditor of said county by the County Superintendent. A vacancy in the office of director of a joint district of the second or third class shall be filled by joint action of the County Superintendents of the counties in which the territory of said joint district lies. In a joint district of the first class, such vacancy

How directors and clerks of joint districts qualify.

Vacancies.

shall be filled in the manner provided by law for filling vacancies in districts of the first class.

Powers and duties of joint districts.

SEC. 29. A joint school district and the officers thereof shall, unless otherwise provided by law, possess all the powers and be subject to all of the duties vested in or imposed upon other school districts of the same class and upon the officers thereof. Whenever the laws relating to school districts shall provide for any action by a county officer, such action, if required to be performed in behalf of a joint school district, shall, unless otherwise provided by law, be performed by the proper officer of the county to which the joint district belongs.

Duties of county to which district belongs.

Duties of county assessors.

SEC. 30. It shall be the duty of the Assessor of each county a part of which is included within a joint school district to certify annually to the Auditor of his county and to the Auditor of the county to which the joint district belongs, for the Board of County Commissioners thereof, the aggregate assessed valuation of all taxable property in his county situated in such joint school district, as the same appears from the last assessment roll of his county.

Amount of tax to be in ratio to assessed valuation.

SEC. 31. The amount of tax to be levied upon the taxable property of that part of a joint school district lying in one county shall be in such ratio to the whole amount levied upon the property in the entire joint district as the assessed valuation of the property lying in such county bears to the assessed valuation of the property in the entire joint district. After the budget of a joint school district has been prepared in the manner provided by law, the County Superintendent of the county to which the joint district belongs shall, after deducting estimated receipts from sources other than district taxation, apportion to each county in which the territory of the joint district lies its proportionate share of the estimated expenditures of such joint district, which

Apportionment of estimated expenditures.

apportionment shall be made upon the same basis as is herein provided for the apportionment of tax levies. He shall then forward to the County Auditor of his county and to the County Superintendent and the County Auditor of each other county, for the Board of County Commissioners thereof, a certificate setting forth the sum apportioned to that county, together with copies of the certificates forwarded by him to the aforesaid officers of other counties.

Certificate
of apportion-
ment.

SEC. 32. Upon receipt of the aforesaid certificate, it shall be the duty of the Board of County Commissioners of each county to levy on all taxable property of that part of the joint school district which lies within the county a tax sufficient to raise the amount necessary to meet the county's proportionate share of the estimated expenditures of the joint district, as shown by the aforesaid certificate of the County Superintendent. Such taxes shall be levied and collected in the same manner as other taxes are levied and collected, and the proceeds thereof shall be forwarded quarterly by the Treasurer of each county, other than the county to which the joint district belongs, to the Treasurer of the county to which such district belongs and shall be placed to the credit of said district. The Treasurer of the county to which a joint school district belongs is hereby declared to be the treasurer of such district.

County Com-
missioners
to levy tax.

Forwarding
tax proceeds

Treasurer
of district.

SEC. 33. If, on the date this act takes effect or at any time thereafter, three (3) directors constitute the board of directors of any school district for which a board of five (5) directors is required by law, except a district required by this act to be divided into school directors' districts, the three (3) directors of such school district shall continue to serve for the terms for which they were elected; two (2) additional directors shall be appointed for the district in the manner provided by law for filling a vacancy on the board of other districts of the same

Apoinment
of additional
directors in
districts not
divided into
director's
districts.

class; and the aforesaid five (5) directors shall thereafter constitute the board of directors of the district. The additional directors so appointed shall serve until the next annual school election in the district and until their successors are elected and qualified, at which election three (3) directors shall be elected, one (1) for a term of one (1) year, one (1) for two (2) years, and one (1) for three (3) years.

Terms.

When old director's district divided into districts.

SEC. 34. Whenever any school district in existence on the date this act takes effect is divided into school directors' districts by the County Committee in the discharge of its duties under said act, the directors thereof shall continue to serve for the terms for which they were elected, unless two (2) or more such directors reside in the same directors' district, in which event the director who shall continue to serve shall be determined by lot. The County Superintendent shall then appoint the number of additional directors required to constitute a board of five (5) directors for the school district, no two (2) of whom shall be residents of the same directors' district. The additional directors so appointed shall serve until the next annual school election in the district and until their successors are elected and qualified, at which election three (3) directors shall be elected for one (1), two (2), and three (3) years, respectively, and, if necessary, additional directors for the unexpired terms, if any, of directors who were removed as such by virtue of the determination by lot provided for in this section.

Terms.

When two or more directors in same district.

Terms of appointed directors.

Terms of elected directors.

District previously divided into directors' districts.

SEC. 35. In case a school district has heretofore been divided into five (5) school directors' districts in conformity with the requirements of law in effect prior to the date this act takes effect, one (1) director therefor shall be elected from among the residents of each such directors' district by the electors of the entire school district, as the terms of the present incumbents expire, except in case such

How elected.

school district is a district of the third class, in which event (a) three (3) of the incumbent directors, selected by lot in such manner that the terms of no two (2) of them will expire simultaneously, shall constitute the board of district and shall continue to serve for the terms for which they were elected; (b) school directors' districts shall cease to exist; and (c) at the next annual school election in said district and annually thereafter, one (1) director shall be elected at large by the electors of the district.

Third class districts.

Terms.

SEC. 36. The boards of directors of the several school districts that have heretofore been united to form a union high school district shall constitute the board of directors of such union high school district: *Provided*, That in a union high school district comprising three (3) or more school districts, the board of directors thereof shall be composed of the chairmen of the several boards of directors of the districts comprised in such union high school district. The board of directors of a union high school district shall organize annually on the second Saturday next succeeding the date on which the newly elected directors of the several component districts enter upon the discharge of their duties, and shall, unless otherwise provided by law, possess the same powers and authority as are conferred by law upon a board of school directors of a district of the second class.

Directors of union high school district.

When they are to organize.

SEC. 37. The tax levy for the General Fund of any union high school district shall not be in excess of four (4) mills for any one (1) school year nor shall the General Fund levy for any component district within a union high school district be in excess of six (6) mills for any one (1) school year, unless a levy in excess thereof is authorized by the electors of the union high school district or of the component district in conformity with the requirements of law.

Tax levy in union high school district.

Levy in component district.

SEC. 38. The County Superintendent shall prepare and keep in his office (a) a map showing the

County Superintendent to keep maps.

boundaries of the directors' districts of all school districts in or belonging to his county that are so divided, and (b) a record of the action taken by the County Committee in establishing such boundaries.

Superintendent of Public Instruction to assist and pay expenses of State Board and County Committees.

SEC. 39. The Superintendent of Public Instruction shall furnish to the State Board and to County Committees the services of employed personnel and the materials and supplies necessary to enable them to perform the duties imposed upon them by this act and shall reimburse the members thereof for expenses necessarily incurred by them in the performance of their duties.

Appeals to Superior Court.

SEC. 40. An appeal may be taken, as provided for in sections 5064 and 5065 of Remington's Revised Statutes (PPC 865-1 and -3), to the Superior Court of the county in which a school district is situated on any question of adjustment of property and other assets and of liabilities provided for in this act. If the court finds the terms of the adjustment in question not be equitable, the court shall make an adjustment that is equitable.

Repealed statutes.

SEC. 41. The following statutes and parts of statutes are hereby repealed: Sections 2, 4, and 6 of article I, subchapter 2, title III, chapter 97, Laws of 1909 (sections 4695, 4697, and 4699, Remington's Revised Statutes; also PPC 883-65, -69, and -73); section 3, article I, subchapter 2, title III, chapter 97, Laws of 1909, as amended by section 1, chapter 170, Laws of 1937 (section 4696, Remington's Revised Statutes; also PPC 883-67); section 5, article I, subchapter 2, title III, chapter 97, Laws of 1909, as last amended by section 1, chapter 52, Laws of Extraordinary Session of 1933 (section 4698, Remington's Revised Statutes; also PPC 883-71); sections 1 and 2, article II, subchapter 2, title III, chapter 97, Laws of 1909 (sections 4701 and 4702, Remington's Revised Statutes; also PPC 883-77 and -79); section 3, article II, subchapter 2, title III,

chapter 97, Laws of 1909, as last amended by section 1, chapter 31, Laws of 1923 (section 4703, Remington's Revised Statutes; also PPC 883-81); sections 1 to 9, both inclusive, and sections 11 to 19, both inclusive, chapter 248, Laws of 1941, (sections, 4709-1 to -19, both inclusive, Remington's Supplement 1941; also PPC 900-1, to -39, both inclusive); chapter 21, Laws of 1945 (section 4709-10 Remington Supplement 1945; also PPC 900-19); chapter 187, Laws of 1929 (sections 4720-1 to 4720-10, both inclusive, Remington's Revised Statutes; also PPC 871-19 to -37 both inclusive); sections 1, 2, 3, and 4, article I, subchapter 3, title III, chapter 97, Laws of 1909 (sections 4721, 4722, 4723, and 4724, Remington's Revised Statutes; also PPC 897-1, -3, -5, and -7); sections 5 and 6, article I, subchapter 3, title III, chapter 97, Laws of 1909, as amended by sections 1 and 2, chapter 95, Laws of 1927 (sections 4725 and 4726, Remington's Revised Statutes; also PPC 897-9 and -11); section 1, article II, subchapter 3, title III, chapter 97, Laws of 1909, as amended by section 1, chapter 50, Laws of 1915 (section 4727, Remington's Revised Statutes; also PPC 864-1); sections 2 and 3, article II, subchapter 3, title III, chapter 97, Laws of 1909, as amended by sections 3 and 4, chapter 95, Laws of 1927 (sections 4728 and 4729, Remington's Revised Statutes; also PPC 864-3 and -5); sections 1, 2, and 4, article III, subchapter 3, title III, chapter 97, Laws of 1909 (sections 4730, 4731, and 4733, Remington's Revised Statutes; also PPC 864-7, -9, and -13); section 3, article III, subchapter 3, title III, chapter 97, Laws of 1909, as amended by section 5, chapter 95, Laws of 1927 (section 4732, Remington's Revised Statutes; also PPC 864-11); section 1, article IV, subchapter 3, title III, chapter 97, Laws of 1909, as last amended by section 2, chapter 52, Laws of Extraordinary Session of 1933 (section 4734, Remington's Revised Statutes; also PPC 871-1); section 2, article IV, sub-

chapter 3, title III, chapter 97, Laws of 1909, as amended by section 4, chapter 75, Laws of 1933 (section 4735, Remington's Revised Statutes; also PPC 871-3); sections 3 and 7, article IV, subchapter 3, title III, chapter 97, Laws of 1909 (sections 4736 and 4740, Remington's Revised Statutes; also PPC 871-5 and -13); section 4, article IV, subchapter 3, title III, chapter 97, Laws of 1909, as amended by section 6, chapter 75, Laws of 1933 (section 4737, Remington's Revised Statutes; also PPC 871-7); section 5, article IV, subchapter 3, title III, chapter 97, Laws of 1909, as last amended by section 3, chapter 75, Laws of 1933 (section 4738, Remington's Revised Statutes; also PPC 871-9); section 6, article IV, subchapter 3, title III, chapter 97, Laws of 1909, as amended by section 1, chapter 90, Laws of 1919 (section 4739, Remington's Revised Statutes; also PPC 871-11); section 8, article IV, subchapter 3, title III, chapter 97, Laws of 1909, as last amended by section 5, chapter 75, Laws of 1933 (section 4741, Remington's Revised Statutes; also PPC 871-15); sections 1 to 12, both inclusive, article V, subchapter 3, title III, chapter 97, Laws of 1909 (sections 4742 to 4753, both inclusive, Remington's Revised Statutes; also PPC 893-1 to -23, both inclusive); sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 12, 13, and 14, chapter 77, Laws of Extraordinary Session of 1925 (sections 4753-1 to 4753-7, both inclusive, and sections 4753-9, 4753-10, 4753-12, 4753-13, and 4753-14, Remington's Revised Statutes; also PPC 893-25, -27, -29, -31, -33, -35, 37, -41, -43, -47, -49, and -51); sections 8 and 11, chapter 77, Laws of Extraordinary Session of 1925, as amended by sections 1 and 2, chapter 286, Laws of 1927 (sections 4753-8 and 4753-11, Remington's Revised Statutes; also PPC 893-39 and -45); sections 1, 2, 3, 4, 5, 8, and 9, article VI, subchapter 3, title III, chapter 97, Laws of 1909 (section 4754,

4755, 4756, 4757, 4758, 4761, and 4762, Remington's Revised Statutes; also PPC 910-1, -13, -15, -17, -19, -27, and -29); section 1, chapter 52, Laws of Extraordinary Session of 1925 (section 4758-1, Remington's Revised Statutes; also PPC 910-3); section 7, article VI, subchapter 3, title III, chapter 97, Laws of 1909, as last amended by section 3, chapter 52, Laws of Extraordinary Session of 1933 (section 4760, Remington's Revised Statutes; also PPC 910-23); section 8, chapter 75, Laws of 1933, as amended by section 4, chapter 52, Laws of Extraordinary Session of 1933 (section 4760-1, Remington's Revised Statutes; also PPC 910-25); section 10, article VI, subchapter 3, title III, chapter 97, Laws of 1909, as amended by section 1, chapter 178, Laws of 1913 (section 4763, Remington's Revised Statutes; also PPC 910-31); chapter 130, Laws of 1933 (sections 4763-1 to 4763-4, both inclusive, Remington's Revised Statutes; also PPC 910-5, -7, -9, and -11); section 1, article VII, subchapter 3, title III, chapter 97, Laws of 1909, as amended by section 2, chapter 90, Laws of 1919 (section 4764, Remington's Revised Statutes; also PPC 881-1); sections 2 and 3, article VII, subchapter 3, title III, chapter 97, Laws of 1909 (sections 4765 and 4766, Remington's Revised Statutes; also PPC 881-3 and -5); section 1, article III, subchapter 4, title III, chapter 97, Laws of 1909 (section 4790, Remington's Revised Statutes; also PPC 887-1); section 1, article IV, subchapter 4, title III, chapter 97, Laws of 1909 (section 4811, Remington's Revised Statutes; also PPC 902-1); section 1, article V, subchapter 4, title III, chapter 97, Laws of 1909 (section 4823, Remington's Revised Statutes; also PPC 908-1); section 6, subchapter 10, title III, chapter 97, Laws of 1909 (section 4946, Remington's Revised Statutes; also PPC 879-11); section 16, subchapter 14, title III, chapter 97, Laws of 1909 (section 5059, Remington's Revised Statutes; also PPC

889-43). All other acts or parts of acts inconsistent with or in conflict with this act or with any part thereof are hereby repealed in so far as they are inconsistent with this act or with any part thereof.

Act is
severable.

SEC. 42. If any part of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity or constitutionality of the act as a whole, or of any part thereof not adjudged invalid or unconstitutional.

Effective
April 1, 1947.

SEC. 43. This act is necessary for the immediate preservation of the public peace, health and safety, and support of the state government and its existing institutions, and shall take effect on April 1, 1947.

Passed the House March 12, 1947.

Passed the Senate March 12, 1947.

Approved by the Governor March 20, 1947.

CHAPTER 267.

[H. B. 503.]

MOTOR VEHICLES.

AN ACT relating to motor vehicles and the operation thereof upon the public highways; prescribing vehicle equipment, devices, lighting, and the inspection thereof; amending sections 7, 16, 17, 23, 29, and 85, chapter 189, Laws of 1937 (secs. 6360-7, -16, -17, -23, -29, and -85, Rem. Rev. Stat.; secs. 288-3, 291-5, -7, -19, -31, and 295-21, PPC), and amending said chapter 189, Laws of 1937, by adding four new sections to be designated sections 22, 26, 33 and 59.

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

SECTION 1. Section 7, chapter 189, Laws of 1937, as amended by section 1, chapter 44, Laws of 1945 (sec. 6360-7, Rem. Rev. Stat.; sec. 288-3, PPC), is amended to read as follows:

Section 7. The Chief of Washington State Patrol is hereby empowered to constitute, erect, operate