

CHAPTER 157.

[Sub. H. B. 295.]

EDUCATION—COUNTY SUPERINTENDENTS.

AN ACT relating to education; amending sections 2096, 2666, 2707, 2708, 2709, 2711, 2719, 2738, 2774 and 2775, Code 1881, section 4, page 61, Laws of 1886, section 1, page 478 and section 5, page 35, Laws of 1890, section 1, chapter 5, Laws of 1891, sections 2, 3, 4, 5, 7 and 8, chapter 119, Laws of 1893, sections 1 and 2, chapter 53, Laws of 1895, section 44, chapter 71, Laws of 1897, section 1, page 280, chapter 97, Laws of 1909, section 1, chapter 132, Laws of 1921, section 55, chapter 130, Laws of 1925 extraordinary session, section 1, chapter 37, Laws of 1927, section 2, chapter 136, Laws of 1933, sections 1 and 2, chapter 197, Laws of 1937, section 1, chapter 139, Laws of 1943, section 1, chapter 249, Laws of 1943 and RCW 28.19.010 through 28.19.030, 36.16.030 through 36.16.060, 36.22.010, 36.32.060 and 42.08.100; adding 11 new sections to Title 28 RCW; and repealing section 1, chapter 95, Laws of 1923 and RCW 28.20.050, and sections 2 through 4, page 369, Laws of 1909 and RCW 28.20.060 through 28.20.080.

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

SECTION 1. Sections 2096, 2666, 2707, 2708, 2709, 2711, 2719, 2738, 2774 and 2775, Code 1881, section 4, page 61, Laws of 1886, section 1, page 478 and section 5, page 35, Laws of 1890, section 1, chapter 5, Laws of 1891, sections 2, 3, 4, 5, 7 and 8, chapter 119, Laws of 1893, sections 1 and 2, chapter 53, Laws of 1895, section 44, chapter 71, Laws of 1897, section 1, page 280, chapter 97, Laws of 1909, section 1, chapter 132, Laws of 1921, section 55, chapter 130, Laws of 1925 extraordinary session, section 1, chapter 37, Laws of 1927, section 2, chapter 136, Laws of 1933, sections 1 and 2, chapter 197, Laws of 1937, section 1, chapter 139, Laws of 1943, section 1, chapter 249, Laws of 1943 (heretofore divided, combined, and codified as RCW 28.19.010 through 28.19.030, 36.16.030 through 36.16.060, 36.22.010, 36.32.060 and 42.08.100) are amended to read as set forth in sections 2 through 11 of this act. Amendment.

County super-
intendents;
election.

SEC. 2. (RCW 28.19.010) A county superintendent shall be elected in each county of the state, or if two or more counties are consolidated by the joining of offices of county superintendents of two or more counties as hereinafter provided, then for the counties embraced by such consolidation. He shall be elected by the voters of the county, or if there be a consolidation of superintendents' offices of two or more counties, then by the voters of the counties so consolidated.

The election shall be conducted in the manner provided by law for the holding of regular county elections. Where the election is by consolidated counties the county auditor of each county within the consolidation, after the canvassing and tallying of the votes, shall forward the results to the secretary of state for canvass of the returns by the state canvassing board as provided by RCW 29.62.100. Such county auditor shall compile the total vote of all the consolidated counties and certify the result.

Terms of
office.

His term of office shall begin on the first Monday in September next succeeding his election and continue for four years and until his successor is elected and qualified. He shall take the oath of office and furnish an official bond in a sum to be fixed by the county board of education.

Oath of office.

Assistants and
other profes-
sional and
clerical
personnel.

SEC. 3. (RCW 28.19.020) The county superintendent may appoint with consent of the county board of education assistant superintendents and such other professional personnel and clerical help as may be necessary to perform the work of his office at such salaries as may be determined by the county board of education, and shall pay their salaries out of his budget. All assistant county superintendents shall qualify in the same manner as the county superintendent; and in the absence of the county superintendent shall perform the duties of the office. The county superintendent shall have the authority to

deputize an assistant to perform any of the duties of the office.

SEC. 4. (RCW 28.19.030) The county board of education, whether of an individual county or a consolidation of superintendents' offices of counties shall fill any vacancy that may occur in the office of county superintendent in their county or consolidation of counties, until the next general election. Vacancies.

SEC. 5. (RCW 36.16.030) In every county there shall be elected from among the qualified voters of the county a county assessor, a county auditor, a county clerk, a county coroner, three county commissioners, a county prosecuting attorney, a county sheriff and a county treasurer: *Provided*, That in counties of the fourth, fifth, sixth, seventh, eighth, and ninth classes no coroner shall be elected and the prosecuting attorney shall be ex officio coroner: *Provided further*, That in ninth class counties no county auditor or assessor shall be elected and the county clerk shall be ex officio county auditor, and the county treasurer shall be ex officio county assessor. Election of county officers.

SEC. 6. (RCW 36.16.040) Every person elected to county office shall before he enters upon the duties of his office take and subscribe an oath or affirmation that he will faithfully and impartially discharge the duties of his office to the best of his ability. This oath, or affirmation, shall be administered and certified by an officer authorized to administer oaths, without charge therefor. Enacted without amendment.

SEC. 7. (RCW 36.16.050) Every county officer before he enters upon the duties of his office shall furnish a bond conditioned that he will faithfully perform the duties of his office and account for and pay over all money which may come into his hands by virtue of his office, and that he, or his executors or administrators, will deliver to his successor safe Bond of county officers.

and undefaced all books, records, papers, seals, equipment, and furniture belonging to his office. Bonds of elective county officers shall be as follows:

Assessor: Amount to be fixed and sureties to be approved by the board of county commissioners;

Auditor: Amount to be fixed at not less than three thousand dollars and sureties to be approved by the board of county commissioners;

Clerk: Amount to be fixed in a penal sum not less than double the amount of money liable to come into his hands and sureties to be approved by the judge or a majority of the judges presiding over the court of which he is clerk;

Coroner: In the amount of one thousand dollars with sureties to be approved by the board of county commissioners;

County commissioners: Sureties to be approved by the county clerk and the amounts to be:

(1) In class A counties and first class counties twenty-five thousand dollars;

(2) In second class counties, twenty-two thousand five hundred dollars;

(3) In third class counties, twenty thousand dollars;

(4) In fourth class counties, fifteen thousand dollars;

(5) In fifth class counties, ten thousand dollars;

(6) In sixth class counties, seven thousand five hundred dollars;

(7) In seventh and eighth class counties, five thousand dollars;

(8) In ninth class counties, two thousand dollars;

Prosecuting attorney: In the amount of five thousand dollars with sureties to be approved by the board of county commissioners;

Sheriff: Amount to be fixed and bond approved by the board of county commissioners at not less than two thousand nor more than twenty-five thousand

dollars; surety to be a surety company authorized to do business in this state;

Superintendent of schools: Amount to be fixed and sureties to be approved by the county board of education;

Treasurer: Sureties to be approved by the board of county commissioners and the amounts to be fixed by the board of county commissioners at double the amount liable to come into the treasurer's hands during his term, the maximum amount of the bond, however, not to exceed:

(1) In class A counties, two hundred fifty thousand dollars;

(2) In first class counties, two hundred thousand dollars;

(3) In second, third and fourth class counties, one hundred fifty thousand dollars;

(4) In all other counties, one hundred thousand dollars.

The treasurer's bond shall be conditioned that all moneys received by him for the use of the county shall be paid as the commissioners shall from time to time direct, except where special provision is made by law for the payment of such moneys, by order of any court, or otherwise, and for the faithful discharge of his duties.

In the approval of official bonds, the chairman may act for the board of county commissioners if it is not in session.

SEC. 8. (RCW 36.16.060) Every county officer, before entering upon the duties of his office, shall file his oath of office in the office of the county auditor and his official bond in the office of the county clerk: *Provided*, That the official bond of the county clerk, after first being recorded by the county auditor, shall be filed in the office of the county treasurer.

Enacted
without
amendment.

Oaths and bonds of deputies shall be filed in the

offices in which the oaths and bonds of their principals are required to be filed.

Enacted
without
amendment.

SEC. 9. (RCW 36.22.010) The county auditor:

(1) Shall be recorder of deeds and other instruments in writing which by law are to be filed and recorded in and for the county for which he is elected;

(2) Shall examine and settle the accounts of all persons indebted to the county or who hold money payable into the county treasury, certify the amount to the treasurer, and give to the person paying, a discharge upon presentation and filing of the treasurer's receipt therefor, charging the treasurer with the amount;

(3) Shall keep an account current with the county treasurer, charge him with all money received as shown by his receipts issued and credit him with all disbursements paid out according to the record of settlement of the treasurer with the board of county commissioners;

(4) Shall make out and transmit to the state auditor a complete statement of the state fund account with the county for the past fiscal year certified by his certificate and seal, immediately after the completion of the annual settlement of the county treasurer with the board of county commissioners.

This statement shall show:

The total amount of tax levy for the current year as returned on the original assessment roll;

The amount of the supplemental taxes levied by the treasurer;

The amount collected from delinquent tax rolls of previous years, since the last report;

The amount of errors, double assessments, and rebates allowed on settlement of the treasurer with the board of county commissioners;

The amount paid to the state treasurer since the last annual settlement and all such other credits as

the county may be entitled to receive in abatement of state taxes;

The balance of the delinquent tax account for the current year.

(5) Shall make a complete exhibit of the finances of the county immediately after the July settlement between the county treasurer and the county commissioners. He shall cause the exhibit to be published in some newspaper printed within the county; if there is none, he shall post the exhibit in a conspicuous place in his office.

The exhibit shall show:

The amount of taxes assessed in the county for the preceding year for state, county, road, bridge, school, and other purposes;

The amount of taxes collected on such assessment;

The amount of money received from other sources;

The amount received into the treasury;

The amount still due and not collected;

The number of warrants issued, the several purposes for which they were issued, the amount for each purpose, and the total amount;

The total amount of warrants redeemed;

The amount of outstanding warrants;

The present condition of the treasury;

Remarks.

(6) Shall make out a register of all warrants legally authorized and directed to be issued by any superior court cost bill, not earlier than ten days after receipt thereof, or by the board of county commissioners at any regular, adjourned, or special meeting thereof, not earlier than ten days after adjournment. He shall also make out a certified copy of the register of warrants under his hand and seal and deliver it forthwith to the county treasurer who shall record it in a book kept for that purpose.

The auditor shall file and carefully preserve the original in his office for future reference. The register of warrants shall be part of the records of the county.

(7) Shall examine the books of the treasurer between the first and tenth of each month and see that they have been correctly kept.

(8) Shall, with the county commissioners, count the money in the county treasury at the January, April, July and October settlements and make and verify statements in duplicate, showing:

The amount of money that ought to be in the treasury;

The amount and kind of money actually therein.

(9) As clerk of the board of county commissioners he shall:

Record all of the proceedings of the board;

Make full entries of all of their resolutions and decisions on all questions concerning the raising of money for and the allowance of accounts against the county;

Record the vote of each member on any question upon which there is a division or at the request of any member present;

Sign all orders made and warrants issued by order of the board for the payment of money;

Record the reports of the county treasurer of the receipts and disbursements of the county;

Preserve and file all accounts acted upon by the board;

Preserve and file all petitions and applications for franchises and record the action of the board thereon;

Record all orders levying taxes;

Perform all other duties required by any rule or order of the board.

SEC. 10. (RCW 36.32.060) The bond of each county commissioner shall be payable to the county, and it shall be conditioned that the commissioner shall

well and faithfully discharge the duties of his office, and not approve, audit, or order paid any illegal, unwarranted, or unjust claim against the county for personal services.

SEC. 11. (RCW 42.08.100) The official bonds of officers shall be approved and filed as follows, to wit: The official bond of the secretary of state shall be approved by the governor and filed in the office of the state auditor. The official bonds of all other state officers required by law to give bonds, except as otherwise expressly provided by law, shall be approved by the governor and filed in the office of the secretary of state.

Bonds of public officers.

The official bonds of all county and township officers, except the county superintendent of schools, shall be approved by the board of county commissioners, if in session, and if not in session, by the chairman of such board, and filed and recorded in the office of the county clerk of their respective counties: *Provided*, That the bond of the county clerk shall be recorded in the office of the county auditor and filed in the office of the county treasurer.

SEC. 12. Section 2, page 280, Laws of 1909 and RCW 28.19.040 are each amended to read as follows: Amendment.

To be eligible for election or appointment to the office of county superintendent, in addition to other provisions of the law, a candidate must have completed five years of regular, accredited work in one or more recognized higher institutions of learning; have a teacher's, principal's, or superintendent's certificate of the state of Washington and have five or more years' experience in teaching or educational administration: *Provided*, That anyone serving as a legally qualified county superintendent on the effective date of this act may be deemed qualified to hold the office of county superintendent.

Eligibility for office of county superintendent.

SEC. 13. Section 3, page 280, Laws of 1909 and RCW 28.19.050 are each amended to read as follows: Amendment.

Declaration of
candidacy for
office of
county super-
intendent.

The county auditor shall not place the name of any person upon the official ballot as a candidate for the office of county superintendent unless such person files in the office of the county auditor at the time of filing his declaration of candidacy proof of his qualifications for the office of county superintendent as defined by this chapter. Where the position is one for superintendent of consolidated counties the secretary of state shall not certify any candidate until the declaration of candidacy is filed with the secretary of state pursuant to RCW 29.18-.050.

Amendment.

SEC. 14. Sections 4 and 5, pages 281 through 284, Laws of 1909 (heretofore combined and codified as RCW 28.19.060) are each amended to read as follows:

Duties of
county super-
intendents.

Each county superintendent:

(1) Shall exercise a careful supervision over the common schools of his county, and see that all the provisions of the common school laws are observed and followed by the teachers, supervisors and school officers;

(2) Shall visit the schools in his county, counsel with directors and teachers, and assist in every possible way to advance the educational interests in his county;

(3) Shall distribute promptly all reports, laws, forms, circulars, and instructions which he may receive for the use of the schools and the teachers, and execute the instructions and decisions of the superintendent of public instruction, as provided by law;

(4) Shall enforce the outline course of study adopted by the state board of education, or the course of study adopted by any other lawful authority, and enforce the rules and regulations required in the examination of teachers;

(5) Shall prepare an outline course of study

for the books adopted in districts of the third class when the needs of the county demand: *Provided*, That said outline course of study shall be in harmony with the course adopted by the state board of education;

(6) Shall keep on file and preserve in his office the biennial reports of the superintendent of public instruction and the annual reports of the county superintendent of his county;

(7) Shall keep in good and well-bound books, to be furnished by the county commissioners, records of his official acts;

(8) Shall preserve carefully all reports of school officers and teachers, and at the close of his term of office deliver to his successor all records, books, documents and papers belonging to the office, either personally or through his personal representative, taking a receipt for the same, which shall be filed in the office of the county auditor in the county where his office is located;

(9) May administer oaths and affirmations to school directors, teachers and other persons, on all official matters connected with or relating to schools, but he shall not make or collect any charge or fee for so doing;

(10) Shall keep in a suitable book an official record of all persons under contract to teach in the schools of his county showing the number of the school district, the date of the contract, the names of the contracting parties, and the date of the expiration of the teacher's certificate and the kind thereof, the salary paid, and the date of commencing school, with the length of term in days, which data shall be immediately reported to the county auditor of the county in which his office is located;

(11) Shall make an annual report to the superintendent of public instruction on the first day of August of each year, for the school year ending June

30th, next preceding. The report shall contain an abstract of the reports made to him by the district clerks, and such other matters as the superintendent of public instruction shall direct. It shall be the duty of the county commissioners and county auditor in every county wherein the county superintendent is about to retire from office to withhold the warrant of his salary for the month of July until they have received a certificate from the superintendent of public instruction that the annual report of such county superintendent has been made in a satisfactory manner; and the superintendent of public instruction shall transmit such certificate to the auditor immediately upon receiving such satisfactory report;

(12) Shall keep in his office a full and correct transcript of the boundaries of each school district in the county, including joint districts. In case the boundaries of the districts are conflicting or incorrectly described, he shall change, harmonize and describe them, and at their next regular meeting he shall certify his action to the county commissioners of his county, and shall file with them a complete transcript of the boundaries of all school districts affected by his action, which shall be entered upon the journal of said board and become a part of their records. The county superintendent shall, on request, furnish the district clerks with descriptions of the boundaries of their respective districts;

(13) Shall appoint school district officers in districts of the second and of the third class to fill vacancies caused by death, resignation, failure to hold election, failure to qualify before the day for taking office, and absence from the district for a period of ninety days or failure to attend four consecutive meetings of the board without a reasonable excuse and appoint school officers for any new districts: *Provided*, That when any new district is

organized, such of the school officers of the old district as reside within the limits of the new one shall be such school officers of the new one, and the vacancies in the old district shall be filled by appointment;

(14) Shall apportion school funds;

(15) Shall conduct such examination of teachers and make such records thereof as may be prescribed by law: *Provided*, That he shall give ten days notice of each examination by publication in some newspaper of general circulation published in his county, or if there be no newspaper, then by posting up handbills, or otherwise;

(16) Shall hold teachers' institutes according to law, and conduct such other meetings of the teachers of his county as may be for the best interests of the schools; and attend other meetings and conferences which may be of benefit to the schools of his county;

(17) May hold each year, one or more directors' meetings, the expense of which shall be audited and paid by the county commissioners: *Provided*, That such expense shall not exceed the sum of one hundred dollars in any one year;

(18) May suspend any teacher who may be teaching in his county, against whom he files charges. In case of such suspension he shall immediately notify the superintendent of public instruction of his action, and shall clearly and fully state his reasons for his action;

(19) Shall furnish registers and clerks' record books to all districts of his county upon a requisition from the school district clerk, and he shall receive pay for such books by warrants drawn against the said school district by the county auditor of the county in which the school district is located. At the end of each quarter of the fiscal year he shall turn over to the treasurer of the county in which the payee district is located, all money derived from

the sale of such books, together with a detailed statement of the sources from which said funds were derived. He shall also at the same time send a copy of said statement to the superintendent of public instruction;

(20) Shall counsel with school boards on selection of school sites and whenever any board of directors of school districts of the third class shall be authorized, by the electors of their district, to erect a school building, it shall be the duty of such board, before entering into any contract for the erection of any building, to obtain the approval of the county superintendent of the county in which the building is to be erected, of the plans and specifications for the building to be erected, said superintendent to give special attention to the provisions made therein for heating, lighting and ventilation;

(21) Shall require all reports of school district officers, teachers and others to be made promptly as required by law;

(22) Shall see that the teacher's register is kept in accordance with law and the instructions of the superintendent of public instruction, and that the records of the school district clerks are properly kept;

(23) Shall require the oath of office of all school district officers be filed in his office, and shall furnish a directory of all such officers to the county auditor and to the county treasurer, upon blanks furnished by the superintendent of public instruction, as soon as the election or appointment of such officers is determined and their oaths placed on file;

(24) Shall serve as ex officio secretary of the county board of education and as ex officio secretary of the county committee for school district organization;

(25) Shall with the advice and consent of the county board of education adopt textbooks for all

school districts not maintaining a four year accredited high school;

(26) Shall prepare an annual budget for his office for approval by the county board of education.

SEC. 15. Section 7, page 284, Laws of 1909, and RCW 28.19.080 are each amended to read as follows: Amendment.

The county commissioners shall provide the county superintendent with a suitable office at the county seat. Whenever a joint county board of education as herein provided is organized, it shall be the duty of such board to designate the headquarters office of the county superintendent, and the board of county commissioners in the county of such designation shall provide the county superintendent with a suitable office at the county seat of such county, and official records of the county superintendent of each consolidation of county superintendents' offices shall be transferred to and thereafter kept by the county superintendent of the consolidated offices. Offices of county superintendents.

SEC. 16. Section 8, page 285, Laws of 1909, and RCW 28.19.090 are each amended to read as follows: Amendment.

For all actual and necessary travel in the performance of his official duties and while in attendance upon meetings and conferences, each county superintendent and his necessary assistants shall be allowed their actual traveling expenses. Travel expenses of county superintendents.

SEC. 17. Section 1, page 311, Laws of 1909 and RCW 28.20.010 are each amended to read as follows: Amendment.

In each county, there shall be a county board of education, which shall consist of five members elected by the voters of the county, one from each of five county board-member districts, such districts to be determined by the county committee on school district organization. Such county board-member district shall be arranged on a basis of equal population and so that not more than one member of the county board shall come from any one school dis- County boards; representation on.

trict: *Provided*, That in counties having less than five school districts, then the county board-member districts shall be arranged so as to give, as far as practicable, representation according to population of the counties.

Filing of
candidacy.

Filing of candidacy for the county board shall be with the county superintendent not more than sixty days nor less than forty-five days prior to the election, and he shall certify the names to the officials conducting the elections in all districts.

Election date.

Election of board members shall be held at the time of the regular election of school district directors. The term of office for each board member shall be four years and until his successor is duly elected and qualified: *Provided*, That the terms of office for the first election shall be as follows:

Terms of
office.

At the time of the regular school election next succeeding the effective date of this act the members from county districts 1, 2 and 3 shall be elected for a term of two years and until his successor is elected and qualified. The members from county districts 4 and 5 shall be elected for a term of four years and until his successor is elected and qualified. Thereafter the term of office for all members shall be for four years.

The term of every county board-member shall begin on the twentieth day following his election and each county board shall be organized at the first meeting held after a newly elected member takes office. 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 district by the remaining members of the county board until the next regular election, at which time there shall be elected a member to fill the unexpired term of the member of the board whose position has been vacated.

Amendment.

SEC. 18. Section 2, page 311, Laws of 1909 (heretofore divided and codified as RCW 28.20.020 and

28.20.030) is divided and amended as set forth in sections 19 and 20 of this act.

SEC. 19. (RCW 28.20.020) Every member of the county board of education shall be a qualified voter and a legal resident of the district for which he files, and shall not be an employee of any school district. Every member elected shall take the oath of office required of county officials. The members of the county board shall not be required to give bond.

County boards; qualifications.

Oath of office.

Bond.

SEC. 20. (RCW 28.20.030) All members of the county board of education shall be reimbursed for their actual and necessary expenses, including the cost of travel, incident to the performance of their duties. All such claims shall be approved by the county board of education and paid from the budget of the county superintendent.

Expenses.

SEC. 21. Section 3, page 311, Laws of 1909, and RCW 28.20.040 are each amended to read as follows:

Amendment.

Every county board of education shall:

Duties.

(1) Advise with and pass upon the recommendation of the county superintendent in the preparation of manuals, courses of study, rules and regulations for the circulating libraries, and to perform such other duties as may be required by him;

(2) Advise with and pass upon the recommendation of the county superintendent as to a choice of textbooks of all school districts not maintaining a four year accredited high school;

(3) Adopt rules and regulations for the schools of the county, not inconsistent with the code of public instruction or with the rules and regulations of the state board of education or the superintendent of public instruction;

(4) Approve the budget of the county superintendent, and certify to the board of county commissioners and to the state board of education the estimates of the amounts needed for such budget;

(5) Meet regularly according to the schedule adopted at the organization meeting, and in special session upon the call of the chairman, or the secretary, or a majority of the board.

New section. SEC. 22. There is added to Title 28 RCW, a new section to read as follows:

Consolidation. The office of the county superintendent of two or more contiguous counties may be consolidated into a joint county district in the following manner:

Resolution. The county committee on school district organization of a county desiring consolidation with a county, or with a consolidation, for the purposes of greater efficiency and more economical operation shall pass a resolution to that effect and submit it to the county committee of the county wherewith consolidation is desired; or if it is to an existing consolidation, then to the county committee of the counties comprising the existing consolidation. Such county committee, or committees, to which such resolution is submitted shall thereupon either approve or reject such resolution. A majority of the county committee, or committees, acting favorably upon the resolution submitted to them shall be sufficient to approve the acceptance of such resolution.

Hearing. Upon the favorable action of the county committee, or committees, a hearing shall be held pursuant to notice published in one local newspaper in each county affected by such consolidation. The notice must be published at least once each week for a period of three consecutive weeks, advising of the time and place of the hearing, and shall contain a copy of the resolution. The hearing shall be held at a suitable location within either the county desiring a consolidation, or in one of the other counties concerned. The hearing shall not be held less than thirty nor more than forty-five days from the date of first publication of the notice. Within forty-

five days following the hearing, any county committee may withdraw its approval of such resolution.

SEC. 23. There is added to Title 28 RCW, a new New section. section to read as follows:

If the resolution for consolidation is not withdrawn within forty-five days, a special election shall be called and conducted as provided by law for the holding of regular or special school district elections, for the purpose of affording the voters an opportunity to approve or reject the consolidation. If a canvass of the vote by the county committees on school district organization affected by the consolidation, meeting in a joint session not more than ten days after the date of the election shows a majority of the total vote cast in each county favor the consolidation, the consolidation shall be effected. Consolidation; special election.

SEC. 24. There is added to Title 28 RCW, a new New section. section to read as follows:

Upon the approval as provided in section 23 of this act of the consolidation the county committees on school district reorganization of the consolidation shall redistrict the counties embraced by such consolidation into five board-member districts within the consolidation in the manner set forth in section 17 of this act as though the counties within the consolidation were one county, and thereafter, at the next annual school election, there shall be elected in the manner provided in section 17 of this act, the joint county board of education: *Provided*, That until the joint county board shall have been elected and qualified all county boards shall continue as theretofore: *Provided further*, That the election and terms of the members of the first joint county board shall be determined in the manner provided in section 17 of this act. Consolidation; redistricting.

SEC. 25. There is added to Title 28 RCW, a new New section. section to read as follows:

Consolidation;
qualification of
joint county
board
members.

The joint county board of education must have the same qualifications and shall have the same duties and powers for the consolidation as the qualifications required and the powers and duties of such boards of the individual counties.

New section.

SEC. 26. There is added to Title 28 RCW, a new section to read as follows:

Consolidation;
terms of exist-
ing county su-
perintendents.

All county superintendents of individual counties at the time of consolidation as provided in section 22 of this act shall continue in that office until the expiration of the term for which they are elected. At the election for the next succeeding term there shall be elected by all the voters of the consolidation a county superintendent who shall have the qualifications and the duties and powers for the consolidation as are provided by law for the county superintendent of each county.

Election of
county super-
intendent for
consolidation.

New section.

SEC. 27. There is added to Title 28 RCW, a new section to read as follows:

Consolidation;
filing for office
of county su-
perintendent.

The filing for the office of county superintendent for a consolidation shall be made with the county auditor of the county in which the office of the superintendent is located, and shall be certified by such auditor to the auditors of the respective counties in such consolidation.

New section.

SEC. 28. There is added to Title 28 RCW, a new section to read as follows:

Consolidation;
withdrawal.

If after a consolidation has been in effect five years any county committee on school district organization desires to withdraw from the consolidation, as provided in section 22 of this act, such committee may initiate such action by submitting to the other county committee, or committees, a resolution to that effect, after which the same procedure shall be followed as set forth in sections 22 through 26 of this act.

New section.

SEC. 29. There is added to Title 28 RCW, a new section to read as follows:

The board of county commissioners of each county annually at the time the budgets are prepared for the several county offices shall allocate from county funds to the county superintendent for his budget, the amount certified to the board of county commissioners by the county board of education as the amount needed from county funds for the county superintendent's budget.

Budgets of county superintendents.

SEC. 30. There is added to Title 28 RCW, a new section to read as follows:

New section.

The budget of the county superintendent of a consolidation of county superintendents' offices shall be approved by the joint county board of education, which joint county board shall determine and certify to the county commissioners of each county of the consolidation the amount needed from county funds of each such county for the county superintendent's budget. The county commissioners of each county shall order the transfer of such funds to the county treasurer in the county wherein the county superintendent's headquarters office is located to be credited to his budget, and the county treasurer of said county shall be the custodian of the fund, and the auditor of that county shall keep a record of receipts and disbursements, and shall draw and the county treasurer shall honor and pay the warrants.

Budget of county superintendent of a consolidation.

SEC. 31. There is added to Title 28 RCW, a new section to read as follows:

New section.

The state board of education shall examine the budget of each county superintendent and fix the amount to be allocated thereto from state funds and certify to the state superintendent of public instruction the amount of state funds needed for the county superintendents' budgets as approved by the state board of education and shall require the state superintendent of public instruction to allocate this amount from the current state school fund to the county treasurers for deposit to the credit of the county

State aid to county superintendents.

superintendents' budgets for the use of the common schools.

New section.

SEC. 32. There is added to Title 28 RCW, a new section to read as follows:

Abolishment
of office of
county super-
intendent in
counties hav-
ing only one
school district.

The office of the county superintendent of schools in any county having only one school district within its boundaries may be abolished. If in the opinion of the county committee on school district organization in any county having but one school district there is no need for a county superintendent in that county, the committee may by resolution request the county auditor to call and conduct a special election in conjunction with the county or the state general election, at which special election the electors of the county may vote for or against the abolishment of the office of the county superintendent. Upon receipt of such resolution the county auditor shall call and conduct such election, and, if a majority of the votes cast on the proposition favor the abolishment of the office of the county superintendent, the office shall be abolished at the end of the term of office for which the incumbent county superintendent was elected or appointed.

Upon the abolishment of the office of the county superintendent as provided in this section the county superintendent shall deliver all of the files and records of his office to the superintendent of schools for the school district in the county, and thereafter the superintendent for the school district shall assume the duties of the county superintendent insofar as they apply to the schools of his district.

Severability.

SEC. 33. If any section or provision of this act be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SEC. 34. The following sections of the Revised Code of Washington and the following sections of the session laws are each repealed:

(a) Section 1, chapter 95, Laws of 1923 and RCW 28.20.050;

(b) Section 2, page 369, Laws of 1909 and RCW 28.20.060;

(c) Section 3, page 369, Laws of 1909 and RCW 28.20.070; and

(d) Section 4, page 369, Laws of 1909 and RCW 28.20.080.

Passed the House February 28, 1955.

Passed the Senate March 7, 1955.

Approved by the Governor March 15, 1955.

CHAPTER 158.

[H. B. 78.]

TRUSTS—DURATION OF PENSION, ETC., PLANS.

AN ACT relating to trusts and exempting pension, profit-sharing, stock bonus, retirement, disability, death benefit and other similar types of employee-benefit plans and trusts from any laws or rules in any manner limiting or purporting to limit the duration of such trusts.

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

SECTION 1. Any trust heretofore or hereafter created for the purposes and of the type enumerated in section 2 of this act, whether in real or personal property or in real and personal property, may continue for such time as may be necessary to accomplish the purposes of the trust and shall not be invalid as violating any statute or rule of law against perpetuities, or against accumulations of earnings, or concerning the suspension of the power of alienation of the title to property, or otherwise limiting the duration of trusts.

Certain trusts
to be con-
tinuous.