

Department of agriculture report.

SEC. 3. The department of agriculture shall publish at least once annually information concerning the production, sales and volume of milk processed into dairy products by processors in this state.

Violation—misdemeanor; gross misdemeanor.

SEC. 4. The first violation of the provisions of sections 1 or 2 of this act shall be a misdemeanor. A second violation and succeeding violations shall be a gross misdemeanor.

Emergency.

SEC. 5. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 21, 1955.

Passed the Senate March 6, 1955.

Approved by the Governor March 21, 1955.

CHAPTER 344.

[Sub. H. B. 568.]

SCHOOL DISTRICTS—NONHIGH DISTRICTS.

AN ACT relating to school districts; providing for participation by nonhigh school districts in financing high school facilities or for annexation of such nonhigh school districts; creating taxing areas within certain nonhigh school districts; providing for the participation by such taxing areas in financing high school facilities or for the annexation of such taxing areas; amending sections 1 through 7, chapter 229, Laws of 1953 and RCW 28.56.010 through 28.56.070; and providing the effective date of this act.

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

Amendment.

SECTION 1. Section 1, chapter 229, Laws of 1953 and RCW 28.56.010 are each amended to read as follows:

Written request.

Upon receipt of a written request from the board of directors of a high school district or a union high school district or a nonhigh school district that presents to the county committee on school district

organization satisfactory evidence of a need for high school facilities located therein and of intent and ability to provide such facilities within a period of two years, the county committee shall prepare a plan for participation by the nonhigh school districts and proposed taxing areas within such nonhigh school districts, as provided for by section 10 of this act, in providing capital funds to pay the cost of school building facilities and equipment to be provided for the education of high school students residing in the school districts or taxing areas involved in each case. Prior to submission of the aforesaid request the board of directors of the school district concerned therewith shall determine the nature and extent of the high school facilities and equipment proposed to be provided, the approximate amount of local capital funds required to pay the cost thereof, and the site or sites upon which the proposed facilities are to be located, and shall submit a report thereon to the county committee along with the aforesaid request.

Request
contents.Plan for par-
ticipation.Report on
proposed
facilities and
required local
financing.

SEC. 2. Section 2, chapter 229, Laws of 1953 and RCW 28.56.020 are each amended to read as follows:

Amendment.

The said county committee shall give consideration to:

Consideration
given follow-
ing.

(1) The report submitted by the board of directors as stated above;

(2) The exclusion from the plan of nonhigh school districts or taxing areas because of remoteness or isolation or because they are so situated with respect to location, present and/or clearly foreseeable future population, and other pertinent factors as to warrant the establishment of a high school therein or the inclusion of their territory in some other nonhigh school district within which the establishment of a high school is warranted;

(3) The assessed valuation of the school districts or taxing areas involved in each case and the

ability of each district or taxing area to issue bonds within the limit of indebtedness prescribed by law;

(4) The cash balance, if any, in the building fund of the district submitting the request which is designated for high school building construction purposes, together with the sources of such balance;

(5) Any other factors found by the committee to have a bearing on the preparation of an equitable plan.

Amendment.

SEC. 3. Section 3, chapter 229, Laws of 1953 and RCW 28.56.030 are each amended to read as follows:

Public hearing.

The said county committee shall also hold a public hearing or hearings on any proposed plan: *Provided*, That three members of the committee or two members of the committee and the county superintendent may be designated by the committee to hold such public hearing or hearings and to submit a report thereof to the county committee. The county committee shall cause to be posted, at least ten days prior to the date appointed for any such hearing, a written or printed notice thereof in at least three prominent and public places in the territory of the school districts and taxing areas involved or affected, on the schoolhouse door of each such district, and at the place or places of holding the hearing.

Notice posted.

Amendment.

SEC. 4. Section 4, chapter 229, Laws of 1953 and RCW 28.56.040 are each amended to read as follows:

County committee plan; submission to state board of education.

Subsequent to the holding of a hearing or hearings as aforesaid, the county committee shall determine the nonhigh school districts and taxing areas to be included in the plan and the amount of capital funds to be provided by every district and taxing area included therein, and shall submit the proposed plan to the state board of education together with such maps and other materials pertaining thereto as the state board may require. The state board shall review such plan, shall approve any plan which in its judgment makes adequate and satisfactory provi-

sion for participation by the nonhigh school districts and taxing areas in providing capital funds to be used for the purpose above stated, and shall notify the county committee of such action. Upon receipt by the county committee of such notification, the county superintendent shall notify the board of directors of each school district and the governing board of each taxing area included in the plan, supplying each board with complete details of the plan and shall state the total amount of funds to be provided and the amount to be provided by each district and taxing area.

County committee procedure upon board's approval.

If any such plan submitted by a county committee is not approved by the state board, the county committee shall be so notified, which notification shall contain a statement of reasons therefor and suggestions for revision. Within sixty days thereafter the county committee shall submit to the state board a revised plan which revision shall be subject to the procedural requirements and provisions of law applicable to an original plan submitted to said board.

County committee procedure upon board's non-approval.

SEC. 5. Section 5, chapter 229, Laws of 1953 and RCW 28.56.050 are each amended to read as follows:

Amendment.

Within sixty days after receipt of the notice of approval from the county superintendent, the board of directors of each school district and the governing board of each taxing area included in the plan shall submit to the voters thereof a proposal or proposals for providing, through the issuance of bonds and/or the authorization of an excess tax levy, the amount of capital funds that the district or taxing area is required to provide under the plan. The proceeds of any such bond issue and/or excess tax levy shall be credited to the building fund of the school district in which the proposed high school facilities are to be located and shall be expended to pay the cost of school building facilities and equipment for the education of high school students residing in the school

Proposals for financing submitted to voters.

districts and taxing areas included in the plan and not otherwise.

Amendment.

SEC. 6. Section 6, chapter 229, Laws of 1953 and RCW 28.56.060 are each amended to read as follows:

Second election.

In the event that a proposal or proposals for providing capital funds as aforesaid is not approved by the voters of a nonhigh school district or taxing area, a second election thereon shall be held within sixty days thereafter. If the vote of the electors of the nonhigh school district or taxing area is again in the negative, the high school students residing therein shall not be entitled to admission to the high school or union high school under the provisions of RCW 28.58.230, following the close of the school year during which the second election is held: *Provided*, That

Students denied admission.

Determination of initiating proposal for annexation.

in any such case the county committee shall determine within thirty days after the date of the aforesaid election the advisability of initiating a proposal for annexation of such nonhigh school district or taxing area to the school district in which the proposed facilities are to be located or to some other district where its students can attend high school without undue inconvenience: *Provided further*, That pending such determination by the county committee and action thereon as required by law the board of directors of the high school or union high school district shall continue to admit high school students residing in the nonhigh school district or taxing area involved. Any proposal for annexation of a nonhigh school district or taxing area initiated by a county committee shall be subject to the procedural requirements of this amendatory act respecting a public hearing and submission to and approval by the state board of education. Upon approval by the state board of any such proposal, the county superintendent shall make an order establishing the annexation.

Students admitted pending determination.

Procedural requirements.

Amendment.

SEC. 7. Section 7, chapter 229, Laws of 1953 and RCW 28.56.070 are each amended to read as follows:

In case of failure or refusal by a board of directors of a nonhigh school district or the governing board of a taxing area to submit a proposal or proposals to a vote of the electors within the time limit specified in sections 5 and 6 of this amendatory act, the county committee may initiate a proposal for annexation of such nonhigh school district or taxing area as provided for in section 6 of this amendatory act.

County committees may initiate proposals to vote.

SEC. 8. If part of the students residing in a nonhigh school district attend high school in one adjoining or nearby school district and part of the students residing in such nonhigh school district attend school in another one or two adjoining or nearby school districts, and such nonhigh school district has not presented to the county committee satisfactory evidence of a need for high school facilities located therein and of intent and ability to provide such facilities within a period of two years, such nonhigh school district shall be divided by the county committee into separate proposed taxing areas equal in number to the number of adjoining or nearby high school districts in which students from such nonhigh school district are attending school.

Division of nonhigh school district into separate taxing areas.

SEC. 9. For the purpose of determining the proper boundaries for each proposed taxing area lying within a nonhigh school district which sends students to different high school districts, the county committee shall call a public hearing, similar to the public hearings provided for by section 3 of this amendatory act, at which hearing the residents of the nonhigh school district may express their preference for which high school district they wish to have their lands attached to within the boundaries of a taxing area.

Determination of boundaries.

Public hearing.

SEC. 10. Within thirty days after holding the hearing provided for in section 8 of this act, the county committee shall determine the boundaries of each taxing area within the nonhigh school district,

Taxing areas designated.

and shall assign a number to each such taxing area, and shall designate to which high school district such taxing area shall be annexed under the terms of this act.

School board director becomes member of taxing area governing board.

SEC. 11. When a nonhigh school district has been divided into taxing areas as provided in section 10 of this act, any member or members of the board of directors of the nonhigh school district shall become, by virtue of his position as a member of the board of directors, a member of the governing board of such taxing area, unless more than three school directors shall live in one such taxing area, in which case the school directors shall choose by lot three of their number to serve as members of the governing board of such taxing area.

Appointment of taxing area governing board members.

SEC. 12. If fewer than three members of the board of directors of such nonhigh school district reside in any taxing area created from such district, the county school superintendent shall appoint from the qualified electors residing in such taxing area enough additional members of the governing board of such taxing area to constitute a governing board of three members.

Governing board authority.

SEC. 13. From and after the date that such taxing areas are created and their governing boards are constituted, as provided in sections 10, 11 and 12 of this act, the governing board of each taxing area shall be vested with the same authority over such taxing area, for the purposes of annexation hearings and elections under this act, as that exercised by the board of directors of a nonhigh school district in which all of the students attend one high school over such nonhigh school district.

SEC. 14. For the purpose of the procedure and proceedings provided for in sections 1 through 7 of this act, each such taxing area shall be deemed to be equivalent to a nonhigh school district and the gov-

erning board of such taxing area shall be deemed equivalent to the board of directors of a nonhigh school district.

SEC. 15. When a taxing area is created as provided in this act and its boundaries have been defined and the electors residing therein have voted in favor of a proposal or proposals to provide capital funds for a high school district to which such taxing area is sending students, the county committee shall transmit to the proper county authorities the information necessary for the placing of the lands lying within the boundaries of such taxing area on the assessment rolls as lands included within the boundaries of such taxing area. Each such taxing area shall bear the number assigned to it by the county committee and shall be known by that number on the tax rolls.

Information transferred.

Taxing area number.

SEC. 16. If the electors residing within a taxing area twice vote against providing capital funds for a high school district in accordance with a plan as provided for in sections 1 through 4 of this act, and annexation of such taxing area to another school district is ordered by the county superintendent under the provisions of section 6 of this act, immediately upon the issuance of the order of annexation the county committee shall transmit to the proper county authorities the information necessary for the placing of the lands lying within the boundaries of such taxing area on the assessment rolls as lands included within the boundaries of the school district to which the taxing areas shall have been annexed. The taxing area shall cease to exist after the date of the annexation order: *Provided*, That all taxes levied or bond issuance plans approved by a taxing area shall, on the date such taxing area ceases to exist, become taxes levied by or bond issuance plans approved by the school district to which such taxing area shall have been annexed. All funds, property or records,

Annexation order.

Taxing area abolished.

and every other thing of any value, held by or used by such taxing area shall be delivered to and become the property of the school district to which the taxing area shall have been annexed.

Invalidity.

SEC. 17. If any part or parts of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of any other part or parts of this act.

Emergency.

SEC. 18. This act is necessary for the immediate preservation of public peace, health and safety, support of the state government and its existing public institutions, and shall take effect on April 1, 1955.

Passed the House February 27, 1955.

Passed the Senate March 6, 1955.

Approved by the Governor March 21, 1955.

CHAPTER 345.

[Sub. H. B. 22.]

MUNICIPALITIES—INCORPORATION OF INTERCOUNTY AREAS.

AN ACT relating to the organization, classification, incorporation and government of cities and towns located in areas of more than one county; prescribing powers and duties of certain officers; prescribing certain procedures in relation thereto.

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

Terms explained.

SECTION 1. As used in this act, unless the context indicates otherwise, "principal county auditor", "principal board of county commissioners", "principal county canvassing board", and "principal county officer" mean respectively those in the county of that part of the proposed corporation in which the largest number of inhabitants reside as of the date of the incorporation thereof.

SEC. 2. Any area lying in two or more counties which is not incorporated as a municipal corporation,