

of the dispute based upon the issues presented, a copy of which shall be mailed or otherwise delivered to the employees' negotiating agent or its attorney or other designated representative and to the employer or the employer's attorney or designated representative. The decision made by the panel shall be final and binding upon both parties, subject to review by the superior court upon the application of either party solely upon the question of whether the decision of the panel was arbitrary or capricious.

Passed the Senate February 6, 1976.

Passed the House February 12, 1976.

Approved by the Governor February 18, 1976.

Filed in Office of Secretary of State February 18, 1976.

CHAPTER 15

[House Bill No. 1356]

EDUCATION—CODE CORRECTIONS

AN ACT Relating to education; reenacting section 28A.57.032, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 43, Laws of 1975 and by section 80, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.032; reenacting section 28A.57.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 43, Laws of 1975 and by section 83, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.050; reenacting section 28A.57.140, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 43, Laws of 1975 and by section 89, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.140; reenacting section 28A.57.200, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 23, Laws of 1975 1st ex. sess. and by section 94, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.200; reenacting section 28A.57.328, chapter 223, Laws of 1969 ex. sess. as last amended by section 7, chapter 43, Laws of 1975 and by section 101, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.328; reenacting section 4, chapter 67, Laws of 1971 as amended by section 10, chapter 43, Laws of 1975 and by section 103, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.356; reenacting section 5, chapter 67, Laws of 1971 as last amended by section 11, chapter 43, Laws of 1975 and by section 104, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.357; reenacting section 6, chapter 67, Laws of 1971 as last amended by section 12, chapter 43, Laws of 1975 and by section 105, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.358; reenacting section 28A.57.415, chapter 223, Laws of 1969 ex. sess. as last amended by section 13, chapter 43, Laws of 1975 and by section 107, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.415; reenacting section 28A.58.137, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 137, Laws of 1975 1st ex. sess. and by section 2, chapter 254, Laws of 1975 1st ex. sess. and RCW 28A.58.137; reenacting section 28A.60.070, chapter 223, Laws of 1969 ex. sess. as last amended by section 15, chapter 43, Laws of 1975 and by section 119, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.60.070; reenacting section 28A.60.210, chapter 223, Laws of 1969 ex. sess. as last amended by section 18, chapter 43, Laws of 1975 and by section 121, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.60.210; reenacting section 28A.65.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 22, chapter 43, Laws of 1975 and by section 122, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.65.080; reenacting section 28A.65.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 24, chapter 43, Laws of 1975 and by section 123, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.65.100; reenacting section 28A.65.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 25, chapter 43, Laws of 1975 and by section 125, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.65.120; reenacting section 28A.65.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 26, chapter 43, Laws of 1975 and by section 126, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.65.150; reenacting section 28A.70.110, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 192, Laws of 1975 1st ex. sess. and by section 134, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.70.110; reenacting section 28A.71.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 192, Laws of 1975 1st ex. sess. and by section 139, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.71.100; repealing section 28A.03.050, chapter 223, Laws of 1969 ex. sess., section 103, chapter 176, Laws of 1969 ex. sess., section 1, chapter 60, Laws of 1975 1st ex. sess.,

section 48, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.03.050; repealing section 28A.48.050, chapter 223, Laws of 1969 ex. sess., section 110, chapter 176, Laws of 1969 ex. sess., section 3, chapter 66, Laws of 1975 1st ex. sess., section 69, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.48.050; repealing section 28A.48.090, chapter 223, Laws of 1969 ex. sess., section 113, chapter 176, Laws of 1969 ex. sess., section 36, chapter 43, Laws of 1975, section 72, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.48.090; repealing section 28A.60.186, chapter 223, Laws of 1969 ex. sess., section 36, chapter 48, Laws of 1971, section 39, chapter 282, Laws of 1971 ex. sess., section 36, chapter 43, Laws of 1975, section 120, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.60.186; and declaring an emergency.

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

Section 1. Section 28A.57.032, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 43, Laws of 1975 and by section 80, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.032 are each reenacted to read as follows:

The members of the county committee shall be elected by the educational service district superintendent and the members of the board of directors of the school districts of the county at a meeting which the educational service district superintendent shall call for that and any additional purpose. At least one member of the county committee shall be elected from among the registered voters 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 registered voters of each class of school district (first or second class) in the county. No member of a county committee shall continue to serve thereon if he ceases to be a registered voter of the county or if he is absent from three consecutive meetings of the committee without an excuse acceptable to the committee.

If more than one educational service district superintendent has jurisdiction within a county all such superintendents shall participate in electing the committee, and the educational service district superintendent having jurisdiction over the most populous part of the county shall serve as secretary of the committee and call meetings where so provided.

Sec. 2. Section 28A.57.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 43, Laws of 1975 and by section 83, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.050 are each reenacted to read as follows:

The powers and duties of the county committee shall be:

(1) To initiate, on its own motion and whenever it deems such action advisable, proposals or alternate proposals for changes in the organization and extent of school districts in the county; to receive, consider, and revise, whenever in its judgment revision is advisable, proposals initiated by petition or presented to the committee by the educational service district superintendent as provided for in this chapter; to prepare and submit to the state board any of the aforesaid proposals that are found by the county committee to provide for satisfactory improvement in the school district system of the county and state; to prepare and submit with the aforesaid proposals, a map showing the boundaries of existing districts affected by any proposed change and the boundaries, including a description thereof, of each proposed new district or of each existing district as enlarged or diminished by any proposed change, or both, and a summary of the reasons for the proposed change; and such other reports, records, and materials as the state board may request. The committee may utilize as a basis of its proposals and changes that comprehensive plan for changes in the organization and extent

of the school districts of the county prepared and submitted to the state board prior to September 1, 1956, or, if the county committee found, after considering the factors listed in RCW 28A.57.055, that no changes in the school district organization of the county were needed, the report to this effect submitted to the state board.

(2) (a) To make an equitable adjustment of the property and other assets and of the liabilities, including bonded indebtedness, as to 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 the school districts; and (b) to make an equitable adjustment of the bonded indebtedness outstanding against any of the aforesaid districts whenever in its judgment such adjustment is advisable, as to all of the school districts involved in or affected by any change heretofore or hereafter effected; and (c) to submit to the state board the proposed terms of adjustment and a statement of the reasons therefor in each case. In making the adjustments herein provided for, the county committee shall consider the number of children of school age resident in and the assessed valuation of the property located in each district and in each part of a district involved or affected; the purpose for which the bonded indebtedness of any district was incurred; the value, location, and disposition of all improvements located in the districts involved or affected; and any other matters which in the judgment of the committee are of importance or essential to the making of an equitable adjustment.

(3) To hold and keep a record of a public hearing or public hearings (a) on every proposal for the formation of a new district or for the transfer from one existing district to another of any territory in which children of school age reside or for annexation of territory when the conditions set forth in RCW 28A.57.190 prevail; and (b) on every proposal for adjustment of the assets and of the liabilities of school districts provided for in this chapter. Three members of the county committee or two members of the committee and the educational service district superintendent may be designated by the committee to hold any public hearing that the committee is required to hold. The county committee shall cause to be posted, at least ten days prior to the date appointed for any such hearing, a written or printed notice thereof (a) in at least three public places in the territory of each proposed new district or of each established district when such district is involved in a question of adjustment of bonded indebtedness, (b) in at least one public place in territory proposed to be transferred or annexed to an existing school district, (c) on a commonly-used schoolhouse 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. In addition notice may be given by newspaper, radio, and television, or either thereof, when in the committee's judgment the public interest will be served thereby.

(4) To divide into five school directors' districts all first and second class school districts now in existence and not heretofore so divided and all first and second class school districts hereafter established: PROVIDED, That no first or second class school district not heretofore so divided and no first or second class school district hereafter created containing a city with a population in excess of seven thousand according to the latest population certificate filed with the secretary of state by the planning and community affairs agency shall be divided into

directors' districts unless a majority of the registered voters, voting thereon at an election shall approve a proposition authorizing the division of the district into directors' districts. The boundaries of each directors' district shall be so established that each such district shall comprise as nearly as practicable an equal portion of the population of the school district.

(5) To rearrange at any time the committee deems such action advisable in order to correct inequalities caused by changes in population and changes in school district boundaries, the boundaries of any of the directors' districts of any school district heretofore or hereafter so divided: PROVIDED, That a petition therefor, shall be required for rearrangement in order to correct inequalities caused by changes in population. Said petition shall be signed by at least ten registered voters residing in the aforesaid school district, and shall be presented to the educational service district superintendent. A public hearing thereon shall be held by the county committee, which hearing shall be called and conducted in the manner prescribed in subsection (3) of this section, except that notice thereof shall be posted in some public place in each directors' district of the school district and on a commonly-used schoolhouse door of the district and at the place of holding the hearing. In addition notice may be given by newspaper, radio, and television, or either thereof, when in the committee's judgment the public interest will be served thereby.

(6) To prepare and submit to the superintendent of public instruction from time to time or, upon his request, reports 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.

Sec. 3. Section 28A.57.140, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 43, Laws of 1975 and by section 89, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.140 are each reenacted to read as follows:

Any school district in the state having a student enrollment within the public schools of such district of two thousand pupils or more, as shown by any regular census as required under RCW 28A.58.150(4), as now or hereafter amended, or by any other evidence acceptable to the educational service district superintendent and the superintendent of public instruction, shall be a school district of the first class. Any other school district shall be a school district of the second class.

Whenever the educational service district superintendent finds that the classification of a school district should be changed, and upon the approval of the superintendent of public instruction, 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.

Sec. 4. Section 28A.57.200, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 23, Laws of 1975 1st ex. sess. and by section 94, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.200 are each reenacted to read as follows:

In case any school district shall have an average enrollment of fewer than two pupils or shall not have made a reasonable effort to maintain, during the preceding school year at least the minimum term of school required by law, the educational service district superintendent shall report said fact to the county committee, which committee shall dissolve the school district and annex the territory thereof to some other district or districts: PROVIDED, That for the purposes of this section, in addition to any other finding, "reasonable effort" shall be deemed to mean the attempt to make up whatever days are short of the legal requirement by the conducting of school classes on any days to include available holidays, though not to include Saturdays and Sundays, prior to June 15 of that year: PROVIDED FURTHER, That school districts operating an extended school year program, most commonly implemented as a 45-15 plan, shall be deemed to be making a reasonable effort: PROVIDED FURTHER, That in the event any school district has suffered any interruption in its normal school calendar due to a strike or other work stoppage or slowdown by any of its employees such district shall not be subject to the requirements of this section. In case any territory is not a part of any school district, the educational service district superintendent shall present to the county committee a proposal for the annexation of said territory to some contiguous district or districts.

Sec. 5. Section 28A.57.328, chapter 223, Laws of 1969 ex. sess. as last amended by section 7, chapter 43, Laws of 1975 and by section 101, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.328 are each reenacted to read as follows:

Upon the establishment of a new school district of the second class, the directors of the old school districts who reside within the limits of the new district shall meet at the call of the educational service district superintendent and shall constitute the board of directors of the new district. If fewer than five such directors reside in any such new second class school district, they shall become directors of said district, and the educational service district board shall appoint the number of additional directors required to constitute a board of five directors for the new second class district. Vacancies once such a board has been reconstituted shall not be filled unless the number of remaining board members is less than five in a second class district, and such vacancies shall be filled in the manner otherwise provided by law.

Each board of directors so constituted shall proceed at once to organize in the manner prescribed by law and thereafter shall have all the powers and authority conferred by law upon boards of directors of other districts of the same class and the directors thereof shall serve until the regular school election following the next regular school election in the district at which election their successors shall be elected and qualified. At such election, no more than five directors shall be elected either at large or by director districts, as the case may be, two for a term of two years and three for a term of four years. Directors thereafter elected and qualified shall serve such terms as provided for in RCW 28A.57.312, as now or hereafter amended.

Sec. 6. Section 4, chapter 67, Laws of 1971 as amended by section 10, chapter 43, Laws of 1975 and by section 103, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.356 are each reenacted to read as follows:

Upon the establishment of a new school district of the first class as provided for in RCW 28A.57.342, as now or hereafter amended, containing only one former first class district, the directors of the former first class district and two directors representative of former second class districts selected by a majority of the board members of former second class districts shall meet at the call of the educational service district superintendent and shall constitute the board of directors of the new district. Vacancies, once such a board has been reconstituted, shall not be filled unless the number of remaining board members is less than five, and such vacancies shall be filled in the manner otherwise provided by law.

Each board of directors so constituted shall proceed at once to organize in the manner prescribed by law and thereafter shall have all the powers and authority conferred by law upon boards of directors of first class school districts until the next regular school election in the district at which election their successors shall be elected and qualified. At such election no more than five directors shall be elected either at large or by director districts, as the case may be, two for a term of two years and three for a term of four years: PROVIDED, That if such first class district is in a class AA or class A county and contains a city of the first class, two directors shall be elected for a term of three years and three directors shall be elected for a term of six years.

Sec. 7. Section 5, chapter 67, Laws of 1971 as last amended by section 11, chapter 43, Laws of 1975 and by section 104, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.357 are each reenacted to read as follows:

Upon the establishment of a new school district of the first class as provided for in RCW 28A.57.342, as now or hereafter amended, containing more than one former first class district, the directors of the largest former first class district and three directors representative of the other former first class districts selected by a majority of the board members of the former first class districts and two directors representative of former second class districts selected by a majority of the board members of former second class districts shall meet at the call of the educational service district superintendent and shall constitute the board of directors of the new district. Vacancies once such a board has been reconstituted shall not be filled unless the number of remaining board members is less than seven, and such vacancies shall be filled in the manner otherwise provided by law.

Each board of directors so constituted 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 first class districts until the next regular school election and until their successors are elected and qualified. At such election other than districts electing directors for six-year terms as provided in RCW 29.13.060, five directors shall be elected either at large or by director districts, as the case may be, two for a term of two years and three for a term of four years. At such election for districts electing directors for six years other than districts having an enrollment of fifty thousand pupils or more and electing directors for six year terms, five directors shall be elected either at large or by director districts, as the case may be, one for a term of two years, two for a term of four years, and two for a term of six years.

Sec. 8. Section 6, chapter 67, Laws of 1971 as last amended by section 12, chapter 43, Laws of 1975 and by section 105, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.358 are each reenacted to read as follows:

Upon the establishment of a new school district of the first class having an enrollment of fifty thousand pupils or more in class AA counties, the directors of the largest former first class district and three directors representative of the other former first class districts selected by a majority of the board members of the former first class districts and two directors representative of former second class districts selected by a majority of the board members of former second class districts shall meet at the call of the educational service district superintendent and shall constitute the board of directors of the new district. Each board of directors so constituted shall proceed at once to organize in the manner prescribed by law and thereafter shall have all the powers and duties conferred by law upon boards of first class districts, until the next regular school election and until their successors are elected and qualified. Such duties shall include establishment of new director districts as provided for in RCW 28A.57.425. At the next regular school election seven directors shall be elected by director districts, two for a term of two years, two for a term of four years and three for a term of six years. Thereafter their terms shall be as provided in RCW 29.13.060.

Vacancies once such a board has been reconstituted shall not be filled unless the number of remaining board members is less than seven, and such vacancies shall be filled in the manner otherwise provided by law.

Sec. 9. Section 28A.57.415, chapter 223, Laws of 1969 ex. sess. as last amended by section 13, chapter 43, Laws of 1975 and by section 107, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.415 are each reenacted to read as follows:

Upon receipt of a written petition by an educational service district superintendent signed by at least twenty percent of the registered voters of a school district theretofore divided into directors' districts after a majority vote thereon in accordance with RCW 28A.57.050(4), as now or hereafter amended, which petition shall request a return to the system of directors running at large within the district, the superintendent, after formation of the question to be submitted to the voters, shall give notice thereof to the county auditor who shall call and hold a special election of the voters of the entire school district to approve or reject such proposal, such election to be called, conducted and the returns canvassed as in regular school district elections.

If approval of a majority of those registered voters voting in said election is acquired, at the expiration of terms of the incumbent directors of such school district their successors shall be elected at large.

Sec. 10. Section 28A.58.137, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 137, Laws of 1975 1st ex. sess. and by section 2, chapter 254, Laws of 1975 1st ex. sess. and RCW 28A.58.137 are each reenacted to read as follows:

In all districts the board of directors shall elect a superintendent who shall have such qualifications as the local school board alone shall determine. He shall have supervision over the several departments of the schools thereof and carry out such other powers and duties as prescribed by law. Notwithstanding the provisions of RCW 28A.58.100(1), the board may contract with such superintendent for

a term not to exceed three years when deemed in the best interest of the district. The right to renew a contract of employment with any school superintendent shall rest solely with the discretion of the school board employing such school superintendent. Regarding such renewal contracts of school superintendents the provisions of RCW 28A.58.450 through 28A.58.515, 28A.67.065, 28A.67.070, 28A.67.074 and 28A.88.010 shall be inapplicable.

Sec. 11. Section 28A.60.070, chapter 223, Laws of 1969 ex. sess. as last amended by section 15, chapter 43, Laws of 1975 and by section 119, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.60.070 are each reenacted to read as follows:

Every school district superintendent in districts of the second class shall within ten days after any change in the office of chairman or superintendent, notify the educational service district superintendent of such change.

Sec. 12. Section 28A.60.210, chapter 223, Laws of 1969 ex. sess. as last amended by section 18, chapter 43, Laws of 1975 and by section 121, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.60.210 are each reenacted to read as follows:

Plans of any second class district or combination of districts for the carrying out of the powers granted by RCW 28A.60.190 through 28A.60.220, as now or hereafter amended, shall be submitted to and approved by a board of supervisors composed of members, as follows: The superintendent of public instruction; the head of the extension department of Washington State University; the head of the extension department of the University of Washington; and the educational service district superintendent; these to choose one member from such county in which the facilities are proposed to be located, and two members, from the district or districts concerned.

Sec. 13. Section 28A.65.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 22, chapter 43, Laws of 1975 and by section 122, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.65.080 are each reenacted to read as follows:

On the date given in said notice the board of directors shall meet at the time and place designated. Any taxpayer may appear thereat and be heard for or against any part of such budget. Such hearing may be continued not to exceed a total of two days.

Upon the conclusion of the hearing, the board of directors shall fix and determine each item or class of the budget separately and shall by resolution adopt the preliminary budget as so finally determined and enter the same in detail in the official minutes: PROVIDED, That the estimates for the expenditures depending directly upon the prospective September enrollment or appropriations yet to be made by the legislature for the support of the common schools shall be adopted tentatively subject to revision: PROVIDED FURTHER, That in all second class districts five copies of said preliminary budget shall be forwarded to the educational service district superintendent within five days after the adoption of said preliminary budget for review, alteration, and approval by the preliminary budget review committee. Members of the preliminary budget review committee shall consist of the educational service district superintendent, a member of the local

board of directors, a member of the educational service district board, and a representative of the state superintendent of public instruction. The preliminary budget review committee shall fix and approve the amount of the preliminary budget on or before the thirtieth day of June. A copy of said preliminary budget shall within ten days after adoption by first class districts or approval by the preliminary budget review committee in second class districts be filed with the educational service district superintendent, the state superintendent of public instruction, and the county auditor: The preliminary budget as adopted and approved shall constitute the appropriations for the district for the ensuing fiscal year commencing July 1, and be in effect until final adoption of the budget.

Sec. 14. Section 28A.65.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 24, chapter 43, Laws of 1975 and by section 123, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.65.100 are each reenacted to read as follows:

Upon the conclusion of the revision hearing the board of directors shall fix and determine the budget and by resolution adopt the same: PROVIDED, That in the case of second class districts the board of directors shall immediately forward the budget to the educational service district superintendent for review and revision by the final budget review committee.

Sec. 15. Section 28A.65.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 25, chapter 43, Laws of 1975 and by section 125, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.65.120 are each reenacted to read as follows:

Upon the conclusion of the revision hearing in districts of the first class and upon the conclusion of the final budget review committee's action in districts of the second class, the board or final budget review committee as the case may be shall certify the final budget and the amount to be raised by taxation to the county commissioners for the levying of the district taxes in the manner now provided by law. A copy of said final budget, when certified, shall be filed with the educational service district superintendent, state superintendent of public instruction, the appropriate county auditor for the board of county commissioners, and the division of municipal corporations, office of the state auditor. The certification and filing of the budgets as aforesaid shall occur on or before the first Monday of October.

Sec. 16. Section 28A.65.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 26, chapter 43, Laws of 1975 and by section 126, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.65.150 are each reenacted to read as follows:

If an emergency arises in a second class school district because of unforeseen conditions, the board of directors shall declare by resolution that an emergency exists. The board of directors, in consultation with the educational service district superintendent and the final budget review committee, shall determine the best means of meeting such emergency. When the proposed plan and the indebtedness therefor have received the approval of the state superintendent of public instruction, it shall be put into effect.

Sec. 17. Section 28A.70.110, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 192, Laws of 1975 1st ex. sess. and by section 134, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.70.110 are each reenacted to read as follows:

The fee for any certificate, or any renewal thereof, issued by the authority of the state of Washington, and authorizing the holder to teach or perform other professional duties in the public schools of the state shall be not less than one dollar or such reasonable fee therefor as the state board of education by rule or regulation shall deem necessary therefor. The fee must accompany the application and cannot be refunded unless the application is withdrawn before it is finally considered. The educational service district superintendent, or other official authorized to receive such fee, shall within thirty days transmit the same to the treasurer of the county in which the office of the educational service district superintendent is located, to be by him placed to the credit of said school district or educational service district: PROVIDED, That if any school district collecting fees for the certification of professional staff does not hold a professional training institute separate from the educational service district then all such moneys shall be placed to the credit of the educational service district.

Such fees shall be used solely for the purpose of precertification professional preparation, program evaluation, and professional in-service training programs in accord with rules and regulations of the state board of education herein authorized.

Sec. 18. Section 28A.71.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 192, Laws of 1975 1st ex. sess. and by section 139, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.71.100 are each reenacted to read as follows:

The educational service district board may arrange each year for the holding of one or more teachers' institutes and/or workshops for professional staff preparation and in-service training in such manner and at such time as the board believes will be of benefit to the teachers and other professional staff of school districts within the educational service district and shall comply with rules and regulations of the state board of education pursuant to RCW 28A.70.110 as now or hereafter amended. The board may provide such additional means of teacher and other professional staff preparation and in-service training as it may deem necessary or appropriate and there shall be a proper charge against the educational service district general expense fund when approved by the educational service district board.

Educational service district boards of contiguous educational service districts, by mutual arrangements, may hold joint institutes and/or workshops, the expenses to be shared in proportion to the numbers of certificated personnel as shown by the last annual reports of the educational service districts holding such joint institutes or workshops.

In local school districts employing more than one hundred teachers and other professional staff, the school district superintendent may hold a teachers' institute of one or more days in such district, said institute when so held by the school district superintendent to be in all respects governed by the provisions of this code

and state board of education rules and regulations relating to teachers' institutes held by educational service district superintendents.

NEW SECTION. Sec. 19. The following acts or parts of acts are each hereby repealed:

(1) Section 28A.03.050, chapter 223, Laws of 1969 ex. sess., section 103, chapter 176, Laws of 1969 ex. sess., section 1, chapter 60, Laws of 1975 1st ex. sess., section 48, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.03.050;

(2) Section 28A.48.050, chapter 223, Laws of 1969 ex. sess., section 110, chapter 176, Laws of 1969 ex. sess., section 3, chapter 66, Laws of 1975 1st ex. sess., section 69, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.48.050;

(3) Section 28A.48.090, chapter 223, Laws of 1969 ex. sess., section 113, chapter 176, Laws of 1969 ex. sess., section 36, chapter 43, Laws of 1975, section 72, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.48.090; and

(4) Section 28A.60.186, chapter 223, Laws of 1969 ex. sess., section 36, chapter 48, Laws of 1971, section 39, chapter 282, Laws of 1971 ex. sess., section 36, chapter 43, Laws of 1975, section 120, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.60.186.

NEW SECTION. Sec. 20. 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.

EXPLANATORY NOTE

Section 1. RCW 28A.57.032 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 3 changed the reference in the first paragraph from "first, second, or third class" to "first or second class" in a comprehensive act which reclassified school districts.

(2) 1975 1st ex.s. c 275 § 80 was part of a comprehensive act changing "intermediate school districts" to "educational service districts".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 2. RCW 28A.57.050 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 4 deleted the second proviso in subsection (4) relating to prohibiting the division of third class school districts into school directors' districts.

(2) 1975 c 275 § 83 was part of a comprehensive act changing "intermediate school districts" to "educational service districts".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 3. RCW 28A.57.140 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 1 revised the first paragraph by changing "population in excess of ten thousand" to read "student enrollment within the public schools of such district of two thousand pupils or more". The reference to "regular or special census" was changed to "regular census as required under RCW 28A.58.150(4), as now or hereafter amended"; and "the superintendent of public instruction" was included in regard to evidence acceptable to the district superintendent. Language was deleted which related to districts other than second class. In the second paragraph the phrase "and upon the approval of the superintendent of public instruction" was added in referring to changes in classification of a school district.

(2) 1975 1st ex.s. c 275 § 89 changed "intermediate school district" to "educational service district".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 4. RCW 28A.57.200 was amended twice during the 1975 first extraordinary session of the legislature, each without reference to the other.

(1) 1975 1st ex.s. c 23 § 1 changed the word "maintained" to "made a reasonable effort to maintain" relating to minimum terms of school during the preceding year. The act also added three provisos defining "reasonable effort", and providing procedures in case of strike or other interruptions in the normal school calendar.

(2) 1975 1st ex.s. c 275 § 94 changed "intermediate school district" to "educational service district".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 5. RCW 28A.57.328 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 7, as part of a comprehensive act reclassifying school districts, deleted all references to third class school districts.

(2) 1975 1st ex.s. c 275 § 101 changed "intermediate school districts" to "educational service districts".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 6. RCW 28A.57.356 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 10 deleted all references to third class school districts as part of a comprehensive act reclassifying school districts.

(2) 1975 1st ex.s. c 275 § 103 changed "intermediate school districts" to "educational service districts".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 7. RCW 28A.57.357 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 11 deleted all references to third class districts as part of a comprehensive act reclassifying school districts.

(2) 1975 1st ex.s. c 275 § 104 changed "intermediate school district" to "educational service district".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 8. RCW 28A.57.358 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 12 deleted all references to third class districts as part of a comprehensive act reclassifying school districts.

(2) 1975 1st ex.s. c 275 § 105 changed "intermediate school district" to "educational service district".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 9. RCW 28A.57.415 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 13 deleted the words "first or second class" as part of a comprehensive act reclassifying school districts.

(2) 1975 1st ex.s. c 275 § 107 changed "intermediate school district" to "educational service district".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 10. RCW 28A.58.137 was amended twice during the 1975 first extraordinary session of the legislature, each without reference to the other.

(1) 1975 1st ex.s. c 137 § 1 added two new sentences at the end of the section regarding school superintendents' contract renewal.

(2) 1975 1st ex.s. c 254 § 2 changed part of the language of the first sentence from "superintendent who shall hold a valid teacher's certificate and such other credentials as required by the state board of education" to read "superintendent who shall have such qualifications as the local school board alone shall determine".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 11. RCW 28A.60.070 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 15 deleted the reference to third class districts in a comprehensive act reclassifying school districts.

(2) 1975 1st ex.s. c 275 § 119 changed "intermediate school district" to "educational service district".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 12. RCW 28A.60.210 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 18 deleted "or third" in the first sentence as part of a comprehensive act reclassifying school districts.

(2) 1975 1st ex.s. c 275 § 121 changed "intermediate school district" to "educational service district".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 13. RCW 28A.65.080 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 22 was part of a comprehensive act reclassifying school districts and deleted the references to third class districts. It also changed the phrase "county or intermediate school district superintendent of schools" to "intermediate school district superintendent"; and the phrase "county or intermediate school district board of education" was reworded to read "intermediate school district board".

(2) 1975 1st ex.s. c 275 § 122 was part of a comprehensive act changing "intermediate school district" to "educational service district". The same phrases: "county or", "of schools", and "of education" were deleted as indicated in subsection (1) above.

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 14. RCW 28A.65.100 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 24 deleted the reference to third class districts as part of a comprehensive act reclassifying school districts.

(2) 1975 1st ex.s. c 275 § 123 changed "intermediate school district" to "educational service district".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 15. RCW 28A.65.120 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 25 deleted the reference to third class districts as part of a comprehensive act reclassifying school districts.

(2) 1975 1st ex.s. c 275 § 125 changed "intermediate school district" to "educational service district".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 16. RCW 28A.65.150 was amended twice during the 1975 regular and first extraordinary sessions of the legislature, each without reference to the other.

(1) 1975 c 43 § 26 deleted "or third" relating to classes of school districts as part of a comprehensive act reclassifying school districts.

(2) 1975 1st ex.s. c 275 § 126 changed "intermediate school district" to "educational service district".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Sec. 17. RCW 28A.70.110 was amended twice during the 1975 first extraordinary session of the legislature, each without reference to the other.

(1) 1975 1st ex.s. c 192 § 1 changed "teaching certificate" to "certificate" in the first line of the section. The phrase in the first sentence "authorizing the holder to teach" was changed to "authorizing the holder to teach or perform other professional duties". All references to the "institute fund" were deleted. In the proviso the phrase "... fees for the certification of teachers does not hold an institute..." was changed to "... fees for the certification of professional staff does not hold a professional training institute...". A new paragraph was added regarding the use of fees.

(2) 1975 1st ex.s. c 275 § 134 changed "intermediate school district" to "educational service district".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with all amendments included therein.

Sec. 18. RCW 28A.71.100 was amended twice during the 1975 first extraordinary session of the legislature, each without reference to the other.

(1) 1975 1st ex.s. c 192 § 2, (in the first sentence), (a) changed "teachers' institutes and/or workshops for in-service training" to "teachers' institutes and/or workshops for professional staff preparation and in-service training"; (b) changed "benefit to the teachers" to "benefit to the teachers and other professional staff of school districts"; (c) added at the end of the first

sentence "and shall comply with rules and regulations of the state board of education pursuant to RCW 28A.70.110 as now or hereafter amended". In the second sentence "...additional means of teacher in-service training..." was changed to "... additional means of teacher and other professional staff preparation and in-service training...". The phrase "institute funds and/or the intermediate school district general expense fund" was amended to read "general expense fund". In the last paragraph regarding "districts employing more than one hundred teachers" the phrase "and other professional staff" was added; and the reference to "this code" was changed to "this code and state board of education rules and regulations".

(2) 1975 1st ex.s. c 275 § 139 changed "intermediate school districts" to "educational service districts".

As these amendments appear to be in different respects, the purpose of this act is to give effect to each by reenacting the section with all amendments included therein.

Sec. 19. RCW 28A.03.050, 28A.48.050, 28A.48.090, and 28A.60.186 were both amended and repealed during the 1975 regular and extraordinary sessions of the legislature.

1975 1st ex.s. c 275 was a comprehensive bill consisting of 156 sections redesignating "intermediate school districts" as "educational service districts" and revising other nomenclature accordingly. Several of the sections amended by that act were also dealt with in other respects by various other acts in the 1975 sessions. The sections which were amended in other acts are herein reenacted to give effect to both amendments inasmuch as the various amendments do not appear to conflict with one another. Several of the sections amended in the educational district act for the sole purpose of changing nomenclature, were also repealed in other acts in order to effectuate the substantive provisions of such other acts. These sections are herein repealed.

Passed the House January 23, 1976.

Passed the Senate February 13, 1976.

Approved by the Governor February 18, 1976.

Filed in Office of Secretary of State February 18, 1976.

CHAPTER 16

[House Bill No. 1357]

TEACHERS' RETIREMENT— CODE CORRECTION

AN ACT Relating to teachers' retirement; reenacting section 42, chapter 80, Laws of 1947 as last amended by section 32, chapter 43, Laws of 1975 and by section 150, chapter 275, Laws of 1975 1st ex. sess. and RCW 41.32.420; and declaring an emergency.

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

Section 1. Section 42, chapter 80, Laws of 1947 as last amended by section 32, chapter 43, Laws of 1975 and by section 150, chapter 275, Laws of 1975 1st ex. sess. and RCW 41.32.420 are each reenacted to read as follows:

On or before a date specified by the board of trustees in each month every employer shall file a report with the board of trustees of the retirement system on a form provided, stating the name of the employer and with respect to each employee who is a member or who is required to become a member of the retirement system: (1) The full name, (2) the earnable compensation paid, (3) the employee's contribution to the retirement system, and (4) such other information as the board shall require, and at the same time notify each new employee in writing with reference to the Washington state teachers' retirement system and that an application for prior service credit may be filed with the board of trustees thereof on a form furnished by the board. The educational service district superintendent shall perform the duties imposed by this section for the employers in second class school districts and the city superintendents for the employers in first class school