

Cities, P.U.D.'s  
as operating  
agencies.

of the joint operating agency by reason of any defect claimed to exist in the organization thereof, and it shall be deemed validly organized for all purposes. Any joint operating agency heretofore attempted to be organized pursuant to chapter 43.52 and which has maintained its existence since the date of such attempted organization, is hereby declared legal and valid and its organization and creation are validated and confirmed.

Severability.

SEC. 12. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, and its application to other persons or circumstances shall not be affected. This act shall be liberally construed to effectuate its purposes.

Emergency.

SEC. 13. 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 Senate March 7, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 26, 1957.

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## CHAPTER 296.

[ S. B. 135. ]

### EDUCATION—SCHOOL DISTRICT ORGANIZATION AND REORGANIZATION.

AN ACT relating to education; providing for the vote required for the approval of propositions at special elections in school districts; amending section 5, chapter 395, Laws of 1955 and RCW 28.57.090; and declaring an emergency.

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

RCW 28.57.090  
amended.

SECTION 1. Section 5, chapter 395, Laws of 1955 and RCW 28.57.090 are amended to read as follows:

Whenever a special election is held to vote on a

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

School districts, organization.  
Vote, how determined—  
Superintendent's order—  
Certification—  
Effective date.

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

The county superintendent may, if he deems such action advisable, fix, as the effective date of any order or orders he is required by this chapter to make, the first day of July next succeeding the date of final approval of any change in the organization and extent of school districts or of any terms of adjustment of the assets and liabilities of school districts.

Upon receipt of the aforesaid certification, the clerk of each school district which is included in the new district shall deliver to the proper school district officer of the new district all books, papers, docu-

School district organization.

ments, records and other materials pertaining to his office.

SEC. 2. Section 4, chapter 266, Laws of 1947 and RCW 28.57.160 are each amended to read as follows:

A new school district may be formed comprising territory lying in a single county or in two or more counties. Such new district may comprise two or more noncontiguous school districts or a part of one or more school districts and territory which is not a part of any school district. The boundaries of existing school districts may be altered (1) by the transfer of territory from one district to another district, or (2) by the annexation to a district of a part or all of one or more other districts or of territory which is not a part of any school district, but only if such territory is contiguous to the district to which it is transferred or annexed. Territory may be transferred or annexed to an existing school district without regard to county boundaries.

vetoed.

Emergency.

SEC. 3. This act is necessary for the immediate preservation of the public peace, health and safety, support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 13, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 26, 1957, with the exception of section 2, which is vetoed.

Veto message, excerpt from.

Note: Excerpt of Governor's veto message reads as follows:

"Section 2 does not conform to the title. It was added to the bill as originally introduced but the title was not amended to conform to the provisions of the section. Furthermore, in drafting the section, the word "contiguous" was inadvertently left out of the statute to be amended, so that the section, if approved, would create a doubt as to whether or not a contiguous territory could be included in a new school district. This amendment was submitted at the request of the State Board of Education and they are now requesting that the section be vetoed in order to eliminate this uncertainty.

"For this reason section 2 is vetoed and the remainder of the bill is approved."