

# FINAL BILL REPORT

## EHB 2302

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C 65 L 98

Synopsis as Enacted

**Brief Description:** Authorizing counties that hold money in trust for school purposes to distribute the money to school districts.

**Sponsors:** Representatives Honeyford, Lisk, Wolfe, Scott, Gardner and Hankins.

**House Committee on Government Administration**  
**Senate Committee on Government Operations**

**Background:** Joshua Brown's Last Will and Testament, executed in 1870, devised his property or its cash proceeds to the public school fund of Klickitat County. Mr. Brown's will specified that interest on the property so devised was to be used to make interest-bearing loans.

In 1875, a territorial law established the Joshua Brown School Fund for the benefit of the Klickitat County schools. The fund was to be administered by three commissioners, the county treasurer, county auditor and county school superintendent. The county treasurer was authorized to make interest-bearing loans from the fund for the acquisition of land and other school expenses.

According to the Klickitat County Board of County Commissioners, the balance of the Fund as of August 11, 1997, was \$4,355.95.

**Summary:** Any county permitted by territorial law to administer a testamentary trust created for the benefit of school districts is authorized to dissolve the trust as long as the trust corpus does not exceed \$50,000. The county may distribute the balance of any funds held in the dissolved trust to the county's school districts. Before dissolving the trust and distributing the funds, the county must adopt a resolution finding that conditions have changed and that it is no longer feasible for the county to administer the trust.

The territorial law establishing the Joshua Brown School Fund is repealed.

**Votes on Final Passage:**

House 97 0

Senate 49 0

**Effective:** June 11, 1998