

---

**SUBSTITUTE HOUSE BILL 1477**

---

**State of Washington                      56th Legislature                      1999 Regular Session**

**By** House Committee on Education (originally sponsored by Representatives Haigh, Bush, Talcott, Linville, Santos and Edmonds; by request of Board of Education)

Read first time 03/02/1999.

1            AN ACT Relating to school district organization; amending RCW  
2 36.70A.035, 28A.540.010, 28A.540.020, 28A.540.030, 28A.540.050,  
3 28A.540.070, and 28A.540.080; adding new sections to chapter 28A.315  
4 RCW; adding a new section to chapter 28A.300 RCW; adding new chapters  
5 to Title 28A RCW; recodifying RCW 28A.315.350, 28A.315.380,  
6 28A.315.390, 28A.315.400, 28A.315.410, 28A.315.420, 28A.315.430,  
7 28A.315.440, 28A.315.450, 28A.315.650, 28A.315.470, 28A.315.480,  
8 28A.315.490, 28A.315.500, 28A.315.530, 28A.315.510, 28A.315.540,  
9 28A.315.570, 28A.315.460, 28A.315.600, 28A.315.610, 28A.315.620,  
10 28A.315.630, 28A.315.670, 28A.315.680, 28A.315.550, 28A.315.560,  
11 28A.315.580, 28A.315.590, 28A.315.593, 28A.315.660, 28A.315.597, and  
12 28A.315.640; repealing RCW 28A.305.150, 28A.315.010, 28A.315.020,  
13 28A.315.030, 28A.315.130, 28A.315.140, 28A.315.150, 28A.315.160,  
14 28A.315.170, 28A.315.180, 28A.315.190, 28A.315.200, 28A.315.210,  
15 28A.315.230, 28A.315.240, 28A.315.250, 28A.315.260, 28A.315.270,  
16 28A.315.280, 28A.315.290, 28A.315.300, 28A.315.310, 28A.315.320,  
17 28A.315.330, 28A.315.340, 28A.315.690, 28A.315.700, 28A.315.710,  
18 28A.315.720, 28A.540.040, 28A.315.040, 28A.315.050, 28A.315.060,  
19 28A.315.070, 28A.315.080, 28A.315.090, 28A.315.100, 28A.315.110, and  
20 28A.315.120; and declaring an emergency.

1 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

2 NEW SECTION. **Sec. 1.** (1) Under the constitutional framework and  
3 the laws of the state of Washington, the governance structure for the  
4 state's public common school system is comprised of the following  
5 bodies: The legislature, the governor, the superintendent of public  
6 instruction, the state board of education, the educational service  
7 district boards of directors, and local school district boards of  
8 directors. The respective policy and administrative roles of each body  
9 are determined by the state Constitution and statutes.

10 (2) Local school districts are political subdivisions of the state  
11 and the organization of such districts, including the powers, duties,  
12 and boundaries thereof, may be altered or abolished by laws of the  
13 state of Washington.

14 **PART 1**

15 **PURPOSE AND POLICY**

16 NEW SECTION. **Sec. 101.** PURPOSE--POLICY. (1) It is the purpose of  
17 this chapter to:

18 (a) Incorporate into a single, comprehensive, school district  
19 organization law all essential provisions governing:

20 (i) The formation and establishment of new school districts;

21 (ii) The alteration of the boundaries of existing districts; and

22 (iii) The adjustment of the assets and liabilities of school  
23 districts when changes are made under this chapter; and

24 (b) Establish methods and procedures whereby changes in the school  
25 district system may be brought about by the people concerned and  
26 affected.

27 (2) It is the state's policy that decisions on proposed changes in  
28 school district organization should be made, whenever possible, by  
29 negotiated agreement between the affected school districts. If the  
30 districts cannot agree, the decision shall be made by the state council  
31 on school district organization, based on the council's best judgment,  
32 taking into consideration the following factors and factors under  
33 section 402 of this act:

34 (a) A balance of local petition requests and the needs of the  
35 state-wide community at large in a manner that advances the best

1 interest of public education in the affected school districts and  
2 communities, the educational service district, and the state;

3 (b) Responsibly serving all of the affected citizens and students  
4 by contributing to logical service boundaries and recognizing a  
5 changing economic pattern within the educational service districts of  
6 the state;

7 (c) Enhancing the educational opportunities of pupils in the  
8 territory by reducing existing disparities among the affected school  
9 districts' ability to provide operating and capital funds through an  
10 equitable adjustment of the assets and liabilities of the affected  
11 districts;

12 (d) Promoting a wiser use of public funds through improvement in  
13 the school district system of the educational service districts and the  
14 state; and

15 (e) Other criteria or considerations as may be established in rule  
16 by the state board of education.

17 (3) It is neither the intent nor purpose of this chapter to apply  
18 to organizational changes and the procedure therefor relating to  
19 capital fund aid by nonhigh districts as provided for in chapter  
20 28A.540 RCW.

21 **PART 2**

22 **GENERAL PROVISIONS**

23 NEW SECTION. **Sec. 201.** DEFINITIONS. Unless the context clearly  
24 requires otherwise, the definitions in this section apply throughout  
25 this chapter.

26 (1) "Change in the organization and extent of school districts"  
27 means the formation and establishment of new school districts, the  
28 dissolution of existing school districts, the alteration of the  
29 boundaries of existing school districts, or any combination of these  
30 activities.

31 (2) "State council" means the state council on school district  
32 organization created by this chapter.

33 (3) "State board" means the state board of education.

34 (4) "School district" means the territory under the jurisdiction of  
35 a single governing board designated and referred to as the board of  
36 directors as provided for in RCW 28A.315.450 (as recodified by this  
37 act).

1 (5) "Educational service district superintendent" means the  
2 educational service district superintendent as provided for in RCW  
3 28A.310.170 or his or her designee.

4 NEW SECTION. Sec. 202. REORGANIZATION OF DISTRICTS. (1) A new  
5 school district may be formed comprising contiguous territory lying in  
6 either a single county or in two or more counties. The new district  
7 may comprise:

8 (a) Two or more whole school districts;

9 (b) Parts of two or more school districts; and/or

10 (c) Territory that is not a part of any school district if such  
11 territory is contiguous to the district to which it is transferred.

12 (2) The boundaries of existing school districts may be altered:

13 (a) By the transfer of territory from one district to another  
14 district;

15 (b) By the consolidation of one or more school districts with one  
16 or more school districts; or

17 (c) By the dissolution and annexation to a district of a part or  
18 all of one or more other districts or of territory that is not a part  
19 of any school district: PROVIDED, That such territory shall be  
20 contiguous to the district to which it is transferred or annexed.

21 (3) Territory may be transferred or annexed to or consolidated with  
22 an existing school district without regard to county boundaries.

23 NEW SECTION. Sec. 203. A new section is added to chapter 28A.300  
24 RCW to read as follows:

25 CLASSIFICATION--NUMBERING SYSTEM--CHANGE OF CLASSIFICATION. (1)  
26 The superintendent of public instruction is responsible for the  
27 classification and numbering system of school districts.

28 (2) Any school district in the state that has a student enrollment  
29 in its public schools of two thousand pupils or more, as shown by  
30 evidence acceptable to the educational service district superintendent  
31 and the superintendent of public instruction, is a school district of  
32 the first class. Any other school district is a school district of the  
33 second class.

34 (3) Whenever the educational service district superintendent finds  
35 that the classification of a school district should be changed, and  
36 upon the approval of the superintendent of public instruction, the  
37 educational service district superintendent shall make an order in

1 conformity with his or her findings and alter the records of his or her  
2 office accordingly. Thereafter, the board of directors of the district  
3 shall organize in the manner provided by law for the organization of  
4 the board of a district of the class to which the district then  
5 belongs.

6 (4) Notwithstanding any other provision of chapter 43, Laws of  
7 1975, the educational service district superintendent, with the  
8 concurrence of the superintendent of public instruction, may delay  
9 approval of a change in classification of any school district for a  
10 period not exceeding three years when, in fact, the student enrollment  
11 of the district within any such time period does not exceed ten  
12 percent, either in a decrease or increase thereof.

13 NEW SECTION. **Sec. 204.** CONFLICTING OR INCORRECTLY DESCRIBED  
14 SCHOOL DISTRICT BOUNDARIES--CHANGES. In case the boundaries of any of  
15 the school districts are conflicting or incorrectly described, the  
16 educational service district board of directors, after due notice and  
17 a public hearing, shall change, harmonize, and describe them and shall  
18 so certify, with a complete transcript of boundaries of all districts  
19 affected, such action to the state board for its approval or revision.  
20 Upon receipt of notification of state board action, the educational  
21 service district superintendent shall transmit to the county  
22 legislative authority of the county or counties in which the affected  
23 districts are located a complete transcript of the boundaries of all  
24 districts affected.

25 NEW SECTION. **Sec. 205.** DISTRICT BOUNDARY CHANGES--SUBMISSION TO  
26 COUNTY AUDITOR. (1) Any district boundary changes shall be submitted  
27 to the county auditor by the educational service district  
28 superintendent within thirty days after the changes have been approved  
29 in accordance with this chapter. The superintendent shall submit both  
30 legal descriptions and maps.

31 (2) Any boundary changes submitted to the county auditor after the  
32 fourth Monday in June of odd-numbered years does not take effect until  
33 the following calendar year.

34 NEW SECTION. **Sec. 206.** CHANGE OF DISTRICT NAME. Any school  
35 district in the state may change its name in the following manner:

1 (1) Upon receipt of a petition signed by ten percent of the  
2 registered voters of the district requesting that the name of the  
3 school district be changed and submitting with the request a proposed  
4 name, the school board shall accept or reject the petition within the  
5 time for the next two regular meetings of the board. If the petition  
6 is rejected, the board's action may not be appealed.

7 (2) If the petition is accepted, the board shall set a date for a  
8 public hearing on the petition to be held within one month of the date  
9 of acceptance and cause notice thereof, together with the proposed new  
10 name, to be published once a week for three consecutive weeks in a  
11 newspaper of general circulation within the school district.  
12 Additional petitions for change of name may be heard at the same public  
13 hearing without the necessity of additional publication of notice, if  
14 the additional proposed names are presented at any board meeting,  
15 whether special or regular, including at the public hearing. At the  
16 hearing any interested elector who is a resident of the school district  
17 may appear and speak for or against the propositions.

18 (3) Within two regular meetings after the public hearing the board  
19 shall select one name to present to the residents of the school  
20 district for their approval or rejection at the next special or general  
21 election.

22 (4) If a majority of the electors voting at the election at which  
23 the proposed name is voted upon approve the proposed name, the new name  
24 shall be recorded in the school district office, the office of the  
25 educational service district superintendent, the office of the state  
26 superintendent of public instruction, and the state board.

27 (5) All institutions that have a legal or financial interest in the  
28 status of a school district whose name has been changed shall be  
29 notified in a manner prescribed by the state attorney general.

30 NEW SECTION. Sec. 207. EFFECT OF CHANGES--EXISTING PROVISIONS NOT  
31 AFFECTED. (1) Any proposed change in school district organization  
32 initiated before the effective date of this section shall be considered  
33 under the laws and rules in effect before the effective date of this  
34 section. This act applies to any proposed change in school district  
35 organization initiated on or after the effective date of this section.

36 (2) For purposes of this section, "initiated" means the filing of  
37 a petition, the motion of a regional committee or school board, or the  
38 report of an educational service district. This section does not

1 preclude the filing of a new petition on or after the effective date of  
2 this section where the same or a similar proposal was filed before the  
3 effective date of this section.

4 NEW SECTION. **Sec. 208.** PERSONNEL AND SUPPLIES--EXPENSES--  
5 REIMBURSEMENT. (1) The superintendent of public instruction shall  
6 furnish to the state council the services of employed personnel and the  
7 materials and supplies necessary to enable it to perform the duties  
8 imposed upon it by this chapter. The superintendent of public  
9 instruction shall reimburse the council members for expenses  
10 necessarily incurred by them in the performance of their duties in  
11 accordance with section 305 of this act.

12 (2) Costs that may be incurred by an educational service district  
13 in association with school district negotiations under section 401 of  
14 this act shall be reimbursed by the state from such funds as are  
15 allocated for this purpose.

16 **PART 3**

17 **STATE COUNCIL ON SCHOOL DISTRICT ORGANIZATION**

18 NEW SECTION. **Sec. 301.** STATE COUNCIL--CREATED. (1) The state  
19 council on school district organization is created. The state council  
20 shall be composed of one member from each educational service district.

21 (2) Persons possessing the status of any of the following positions  
22 are not eligible to be members of the state council:

- 23 (a) The superintendent of public instruction;
- 24 (b) A member of the state board;
- 25 (c) An educational service district superintendent;
- 26 (d) A member of an educational service district board of directors;
- 27 (e) A school district superintendent;
- 28 (f) A member of a board of directors of a school district;
- 29 (g) A member of a governing board of either a private school or a  
30 private school district that conducts any of grades kindergarten  
31 through twelve;
- 32 (h) Officers appointed by a governing board under (g) of this  
33 subsection; and
- 34 (i) Employees of a school district, an educational service  
35 district, the office of the superintendent of public instruction, the  
36 state board, a private school, or a private school district.

1 (3) A person must reside within the educational service district as  
2 a condition to being elected to the state council from that area.

3 NEW SECTION. **Sec. 302.** STATE COUNCIL--ELECTION OF MEMBERS--  
4 QUALIFICATIONS. The members of the state council shall be elected in  
5 the following manner:

6 (1) On or before the 25th day of September 1999, and not later than  
7 the 25th day of September of every subsequent election cycle for the  
8 educational service district for the position on the state council, the  
9 executive director of the state board shall call an election to be held  
10 in the educational service district within which resides a member of  
11 the state council whose term of office expires on the second Monday of  
12 the next January. The executive director shall give written notice of  
13 the election to each member of the board of directors of each school  
14 district in the educational service district. The notice shall include  
15 instructions and the rules established by the state board for the  
16 conduct of the election.

17 (2) Candidates for membership on the state council shall file a  
18 declaration of candidacy with the state board for the educational  
19 service district in which they reside. Declarations of candidacy may  
20 be filed in person or by mail not earlier than October 1st and not  
21 later than October 15th of the year in which the election is scheduled.  
22 The state board may not accept any declaration of candidacy that is not  
23 on file in the state board's office or not postmarked before October  
24 16th, or if not postmarked or the postmark is not legible, if received  
25 by mail after October 20th of the year in which the election is  
26 scheduled.

27 (3) Each member of the state council shall be elected by a majority  
28 of the votes cast for all candidates for the position by the members of  
29 the boards of directors of the school districts in the educational  
30 service district. All votes shall be cast by mail ballot addressed to  
31 the state board. No votes may be accepted for counting if postmarked  
32 after November 16th, or if not postmarked or the postmark is not  
33 legible, if received by mail after November 21st of the year in which  
34 the election is scheduled.

35 (4) An election board comprised of three persons appointed by the  
36 state board shall count and tally the votes not later than November  
37 25th, or the next business day if November 25th falls on a Saturday,  
38 Sunday, or legal holiday of the year in which the election is



1 scheduled. Each vote cast by a school director shall be recorded as  
2 one vote. Within ten days following the count of votes, the executive  
3 director shall certify to the respective county auditor the name of the  
4 person elected to be a member of the state council.

5 (5) The election dates under subsections (1) through (4) of this  
6 section govern all elections after 1999.

7 (6) No member of the state council may continue to serve on the  
8 council if he or she ceases to reside in the educational service  
9 district he or she represents or if he or she is absent from three  
10 consecutive meetings of the council without an excuse acceptable to the  
11 council.

12 (7) The state board shall adopt rules under chapter 34.05 RCW that  
13 establish procedures that the state board deems are necessary to:  
14 Conduct elections under this section; conduct runoff elections in the  
15 event an election for a position is indecisive; and decide, in a fair  
16 and orderly manner, runoff elections that result in tie votes. The  
17 rules shall establish appropriate procedures for adjusting the size of  
18 the state council in the event of a reduction or increase in the number  
19 of educational service districts.

20 NEW SECTION. **Sec. 303.** STATE COUNCIL--VACANCIES. In the case of  
21 a vacancy for any cause on the state council, the applicable  
22 educational service district board of directors shall fill the vacancy  
23 by appointment. Appointees to fill vacancies shall meet the  
24 requirements provided by law for council members and shall serve until  
25 the next regular election, at which time a successor shall be elected  
26 for the balance of the unexpired term.

27 NEW SECTION. **Sec. 304.** STATE COUNCIL--TERMS OF MEMBERS. (1) The  
28 terms of members of the state council shall be for four years and until  
29 their successors are certified as elected.

30 (2) For the 1999 election conducted under section 302 of this act,  
31 the following initial terms of office shall apply:

32 (a) Members on the state council elected from northwest educational  
33 service district number 189, Puget Sound educational service district  
34 number 121, and educational service district number 112 shall serve for  
35 four years;

36 (b) Members on the state council elected from educational service  
37 district number 101, north central educational service district number

1 171, and educational service district number 113 shall serve for three  
2 years; and

3 (c) Members on the state council elected from educational service  
4 district number 123, educational service district number 105, and  
5 Olympic educational service district number 114 shall serve for two  
6 years.

7 (3) Every person elected to the state council shall begin his or  
8 her term of office at the first official council meeting following  
9 certification of the election results. The first meeting shall be  
10 called by the state board of education.

11 NEW SECTION. **Sec. 305.** STATE COUNCIL--REIMBURSEMENT OF EXPENSES.  
12 Members of the state council shall serve without compensation, but  
13 shall be reimbursed for expenses necessarily incurred in the  
14 performance of their duties.

15 NEW SECTION. **Sec. 306.** STATE COUNCIL--ORGANIZATION, MEETINGS,  
16 QUORUM. (1) The state council shall organize by electing from its  
17 membership a chair and a vice-chair. The superintendent of the  
18 educational service district in which the council conducts a hearing  
19 shall serve as the secretary of the council.

20 (2) Meetings of the council shall be held upon call of the chair  
21 and in accord with the provisions of sections 401 and 402 of this act.  
22 A majority of the council constitutes a quorum.

23 (3) Meetings of the council shall be located in the educational  
24 service district in which there is a proposed change in school district  
25 organization. The necessary collection of information for the council  
26 is the responsibility of the affected educational service district.

27 (4) Costs incurred by an educational service district under this  
28 section shall be reimbursed by the state from such funds as are  
29 allocated for this purpose.

30 NEW SECTION. **Sec. 307.** STATE COUNCIL--POWERS AND DUTIES. The  
31 powers and duties of the state council are to:

32 (1) Hear and approve or disapprove proposals for changes in the  
33 organization and extent of school districts in the educational service  
34 districts when a hearing on a proposal has been requested under section  
35 401 of this act;

1 (2) Make an equitable adjustment of the property and other assets  
2 and of the liabilities, including bonded indebtedness and excess tax  
3 levies as otherwise authorized under this section, as to the old school  
4 districts and the new district or districts, if any, involved in or  
5 affected by a proposed change in the organization and extent of the  
6 school districts;

7 (3) Make an equitable adjustment of the bonded indebtedness  
8 outstanding against any of the old and new districts whenever in its  
9 judgment such adjustment is advisable, as to all of the school  
10 districts involved in or affected by any change heretofore or hereafter  
11 effected;

12 (4) Provide that territory transferred from a school district by a  
13 change in the organization and extent of school districts shall either  
14 remain subject to, or be relieved of, any one or more excess tax levies  
15 that are authorized for the school district under RCW 84.52.053 before  
16 the effective date of the transfer of territory from the school  
17 district;

18 (5) Provide that territory transferred to a school district by a  
19 change in the organization and extent of school districts shall either  
20 be made subject to, or be relieved of, any one or more excess tax  
21 levies that are authorized for the school district under RCW 84.52.053  
22 before the effective date of the transfer of territory to the school  
23 district; and

24 (6) Establish the date by which a council-approved transfer of  
25 territory shall take effect.

26 NEW SECTION. **Sec. 308.** POWERS AND DUTIES OF STATE BOARD. The  
27 powers and duties of the state board with respect to this chapter shall  
28 be to aid the state council in the performance of its duties and keep  
29 all records of the state council at the state board office.

30 NEW SECTION. **Sec. 309.** STATE COUNCIL--ANNUAL TRAINING. The  
31 superintendent of public instruction, in cooperation with the  
32 educational service districts and the Washington state school  
33 directors' association, shall conduct an annual training meeting for  
34 the state council, state board members, educational service district  
35 superintendents and boards of directors, and local school district  
36 superintendents and boards of directors.

1        NEW SECTION.    **Sec. 310.**    REGIONAL COMMITTEE MEMBERS--EXPIRATION OF  
2 TERM OF OFFICE.    The current term of office of each member of a  
3 regional committee on school district organization expires on the  
4 second Monday of January 2000.    Any remaining business before a  
5 regional committee on this date shall be transferred to the board for  
6 resolution; the board may refer such business to the state council at  
7 its discretion.

8  
9

**PART 4**  
**TRANSFER OF TERRITORY**

10        NEW SECTION.    **Sec. 401.**    TRANSFER OF TERRITORY--REQUIREMENTS--  
11 RESPONSIBILITIES OF SCHOOL DISTRICT BOARD OF DIRECTORS.    (1) A proposed  
12 change in school district organization by transfer of territory from  
13 one school district to another may be initiated by a petition in  
14 writing presented to the educational service district superintendent:

15        (a) Signed by at least ten percent of the registered voters  
16 residing in the territory proposed to be transferred; or

17        (b) Signed by a majority of the members of the board of directors  
18 of one of the districts affected by a proposed transfer of territory.

19        (2) The petition shall state the name and number of each district  
20 affected, describe the boundaries of the territory proposed to be  
21 transferred, and state the reasons for desiring the change and the  
22 number of children of school age, if any, residing in the territory.

23        (3) The educational service district superintendent shall not  
24 complete any transfer of territory under this section that involves ten  
25 percent or more of the common school student population of the entire  
26 district from which the transfer is proposed, unless the educational  
27 service district superintendent has first called and held a special  
28 election of the voters of the entire school district from which the  
29 transfer of territory is proposed.    The purpose of the election is to  
30 afford those voters an opportunity to approve or reject the proposed  
31 transfer.    A simple majority shall determine approval or rejection.

32        (4) The state board may establish rules limiting the frequency of  
33 petitions that may be filed pertaining to territory included in whole  
34 or in part in a previous petition.

35        (5) Upon receipt of the petition, the educational service district  
36 superintendent shall notify in writing the affected districts that:

1 (a) Each school district board of directors, whether or not  
2 initiating a proposed transfer of territory, is required to enter into  
3 negotiations with the affected district or districts;

4 (b) In the case of a citizen-initiated petition, the affected  
5 districts must negotiate on the entire proposed transfer of territory;

6 (c) The districts have ninety calendar days in which to agree to  
7 the proposed transfer of territory;

8 (d) The districts may request and shall be granted by the  
9 educational service district superintendent one thirty-day extension to  
10 try to reach agreement; and

11 (e) Any district involved in the negotiations may at any time  
12 during the ninety-day period notify the educational service district  
13 superintendent in writing that agreement will not be possible.

14 (6) If the negotiating school boards cannot come to agreement about  
15 the proposed transfer of territory, the educational service district  
16 superintendent, if requested by the affected districts, shall appoint  
17 a mediator. The mediator has thirty days to work with the affected  
18 school districts to see if an agreement can be reached on the proposed  
19 transfer of territory.

20 (7) If the affected school districts cannot come to agreement about  
21 the proposed transfer of territory, and the districts do not request  
22 the services of a mediator or the mediator was unable to bring the  
23 districts to agreement, the district that did not initiate the  
24 negotiation may file with the educational service district  
25 superintendent a written request for a hearing by the state council.

26 (8) If the affected school districts cannot come to agreement about  
27 the proposed transfer of territory initiated by citizen petition, and  
28 the districts do not request the services of a mediator or the mediator  
29 was unable to bring the districts to agreement, the district in which  
30 the citizens who filed the petition reside shall file with the  
31 educational service district superintendent a written request for a  
32 hearing by the state council, unless a majority of the citizen  
33 petitioners request otherwise.

34 (9) Upon receipt of a notice under subsection (7) or (8) of this  
35 section, the educational service district superintendent shall notify  
36 the chair of the state council in writing within ten days.

37 NEW SECTION. **Sec. 402.** TRANSFER OF TERRITORY--STATE COUNCIL--  
38 RESPONSIBILITIES. (1) The chair of the state council shall schedule a

1 hearing on the proposed transfer of territory at a location in the  
2 educational service district within sixty calendar days of being  
3 notified under section 401 (7) or (8) of this act.

4 (2) Within thirty calendar days of the hearing under subsection (1)  
5 of this section, or final hearing if more than one is held by the  
6 council, the council shall issue its written findings and decision to  
7 approve or disapprove the proposed transfer of territory. The  
8 educational service district superintendent shall transmit a copy of  
9 the council's decision to the superintendents of the affected school  
10 districts within ten calendar days.

11 (3) In carrying out the purposes of section 101 of this act and in  
12 making decisions as authorized under section 307(1) of this act, the  
13 state council shall base its judgment upon whether and to the extent  
14 the proposed change in school district organization complies with  
15 section 101(2) of this act and rules adopted by the state board under  
16 chapter 34.05 RCW.

17 (4) State board rules under subsection (1) of this section shall  
18 provide for giving consideration to all of the following:

19 (a) The academic performance of pupils in the affected districts  
20 and improvement of the educational opportunities of pupils in the  
21 territory proposed for a change in school district organization;

22 (b) The safety and welfare of pupils. For the purposes of this  
23 subsection, "safety" means freedom or protection from danger, injury,  
24 or damage and "welfare" means a positive condition or influence  
25 regarding health, character, and well being;

26 (c) The history and relationship of the property affected to the  
27 students and communities affected, including, for example, inclusion  
28 within a single school district, for school attendance and  
29 corresponding tax support purposes, of entire master planned  
30 communities that were or are to be developed pursuant to an integrated  
31 commercial and residential development plan with over one thousand  
32 dwelling units;

33 (d) Whether or not geographic accessibility warrants a favorable  
34 consideration of a recommended change in school district organization,  
35 including remoteness or isolation of places of residence and time  
36 required to travel to and from school;

37 (e) All funding sources of the affected districts, equalization  
38 among school districts of the tax burden for general fund and capital  
39 purposes through a reduction in disparities in per pupil valuation when

1 all funding sources are considered, improvement in the economies in the  
2 administration and operation of schools, and the extent the proposed  
3 change would potentially reduce or increase the individual and  
4 aggregate transportation costs of the affected school districts; and

5 (f) Other matters or considerations that the state council, in its  
6 judgment, considers related to a proposed change in school district  
7 organization.

8 (5)(a) A decision by the state council on school district  
9 organization constitutes a final decision under the administrative  
10 procedure act, chapter 34.05 RCW.

11 (b) Any school district or citizen petitioner affected by a  
12 decision of the state council may seek judicial review of the council's  
13 decision in accordance with RCW 34.05.570.

14 NEW SECTION. **Sec. 403.** TRANSFER OF TERRITORY--APPROVAL OF  
15 PROPOSED TRANSFER--ORDER. (1) Upon receipt by the educational service  
16 district superintendent of a written agreement by two or more school  
17 districts to the transfer of territory between the affected districts,  
18 the superintendent shall make an order establishing all approved  
19 changes involving the alteration of the boundaries of the affected  
20 districts. The order shall also establish all approved terms of the  
21 equitable adjustment of assets and liabilities involving the affected  
22 districts. The superintendent shall certify his or her action to each  
23 county auditor, each county treasurer, each county assessor, and the  
24 superintendents of all school districts affected by the action.

25 (2) Upon receipt by the educational service district superintendent  
26 of a written order by the state council approving the transfer of  
27 territory between two or more school districts, the superintendent  
28 shall make an order establishing all approved changes involving the  
29 alteration of the boundaries of the affected districts. The order  
30 shall also establish all approved terms of the equitable adjustment of  
31 assets and liabilities involving the affected districts. The  
32 superintendent shall certify his or her action to each county auditor,  
33 each county treasurer, each county assessor, and the superintendents of  
34 all school districts affected by the action.

35 **PART 5**  
36 **DISSOLUTION AND ANNEXATION OF TERRITORY**

1        NEW SECTION.     **Sec. 501.**     DISSOLUTION AND ANNEXATION OF CERTAIN  
2 DISTRICTS--ANNEXATION OF NONDISTRICT PROPERTY.     In case any school  
3 district has an average enrollment of fewer than five kindergarten  
4 through eighth grade pupils during the preceding school year or has not  
5 made a reasonable effort to maintain, during the preceding school year  
6 at least the minimum term of school required by law, the educational  
7 service district superintendent shall report that fact to the state  
8 council, which council shall dissolve the school district and annex the  
9 territory thereof to some other district or districts.     For the  
10 purposes of this section, in addition to any other finding, "reasonable  
11 effort" shall be deemed to mean the attempt to make up whatever days  
12 are short of the legal requirement by conducting of school classes on  
13 any days to include available holidays, though not to include Saturdays  
14 and Sundays, prior to June 15th of that year.     School districts  
15 operating an extended school year program, most commonly implemented as  
16 a 45-15 plan, shall be deemed to be making a reasonable effort.     In the  
17 event any school district has suffered any interruption in its normal  
18 school calendar due to a strike or other work stoppage or slowdown by  
19 any of its employees that district shall not be subject to this  
20 section.     In case any territory is not a part of any school district,  
21 the educational service district superintendent shall present to the  
22 state council a proposal for the annexation of the territory to some  
23 contiguous district or districts.

24  
25

**PART 6**

**CONSOLIDATION OF TERRITORY**

26        NEW SECTION.     **Sec. 601.**     CONSOLIDATION--PETITION.     (1) A proposed  
27 change in school district organization by consolidation of territory  
28 from two or more school districts to form a new school district may be  
29 initiated by:

30        (a) A written petition presented to the educational service  
31 district superintendent signed by ten or more registered voters  
32 residing:

33        (i) In each whole district and in each part of a district proposed  
34 to be included in any single new district; or

35        (ii) In the territory of a proposed new district that comprises a  
36 part of only one or more districts and approved by the boards of  
37 directors of the affected school districts;



1 (b) A written petition presented to the educational service  
2 district superintendent signed by ten percent or more of the registered  
3 voters residing in such affected areas or area without the approval of  
4 the boards of directors of the affected school districts.

5 (2) The petition shall state the name and number of each district  
6 involved in or affected by the proposal to form the new district and  
7 shall describe the boundaries of the proposed new district. No more  
8 than one petition for consolidation of the same two school districts or  
9 parts thereof shall be considered during a school fiscal year.

10 (3) The educational service district superintendent may not  
11 complete any consolidation of territory under this section unless he or  
12 she has first called and held a special election of the voters of the  
13 affected districts to afford those voters an opportunity to approve or  
14 reject the proposed consolidation. A simple majority shall determine  
15 approval or rejection.

16 (4) If a proposed change in school district organization by  
17 consolidation of territory has been approved under this section, the  
18 educational service district superintendent shall make an order  
19 establishing all approved changes involving the alteration of the  
20 boundaries of the affected districts. The order shall also establish  
21 all approved terms of the equitable adjustment of assets and  
22 liabilities involving the affected districts. The superintendent shall  
23 certify his or her action to each county auditor, each county  
24 treasurer, each county assessor, and the superintendents of all school  
25 districts affected by the action.

26 **PART 7**

27 **ADJUSTMENT OF ASSETS AND LIABILITIES--**

28 **BONDED INDEBTEDNESS--SPECIAL ELECTIONS**

29 NEW SECTION. **Sec. 701.** ADJUSTMENT OF ASSETS AND LIABILITIES. In  
30 determining an equitable adjustment of assets and liabilities, the  
31 negotiating school districts and the state council shall consider the  
32 following factors:

33 (1) The number of school age children residing in each school  
34 district and in each part of a district involved or affected by the  
35 proposed change in school district organization;

1 (2) The assessed valuation of the property located in each school  
2 district and in each part of a district involved or affected by the  
3 proposed change in school district organization;

4 (3) The purpose for which the bonded indebtedness of any school  
5 district involved or affected by the proposed change in school district  
6 organization was incurred;

7 (4) The history and relationship of the property affected to the  
8 students and communities affected by the proposed change in school  
9 district organization;

10 (5) Additional burdens to the districts affected by the proposed  
11 change in school district organization as a result of the proposed  
12 organization;

13 (6) The value, location, and disposition of all improvements  
14 located in the school districts involved or affected by the proposed  
15 change in school district organization; and

16 (7) Any other factors that in the judgment of the school districts  
17 or state council are important or essential to the making of an  
18 equitable adjustment of assets and liabilities, including the  
19 consideration of all other sources of funding.

20 NEW SECTION. Sec. 702. ADJUSTMENT OF INDEBTEDNESS. (1) The fact  
21 of the issuance of bonds by a school district, heretofore or hereafter,  
22 does not prevent changes in the organization and extent of school  
23 districts, regardless of whether or not such bonds or any part thereof  
24 are outstanding at the time of change.

25 (2) In case of any change:

26 (a) The bonded indebtedness outstanding against any school district  
27 involved in or affected by such change shall be adjusted equitably  
28 among the old school districts and the new district or districts, if  
29 any, involved or affected; and

30 (b) The property and other assets and the liabilities other than  
31 bonded indebtedness of any school district involved in or affected by  
32 any such change shall also be adjusted in the manner and to the effect  
33 provided for in this section, except if all the territory of an old  
34 school district is included in a single new district or is annexed to  
35 a single existing district, in which event the title to the property  
36 and other assets and the liabilities other than bonded indebtedness of  
37 the old district vests in and becomes the assets and liabilities of the  
38 new district or of the existing district, as applicable.

1        NEW SECTION. Sec. 703. ADJUSTMENT OF BONDED INDEBTEDNESS--SPECIAL  
2 ELECTIONS. If adjustments of bonded indebtedness are made between or  
3 among school districts in connection with the alteration of the  
4 boundaries of the school districts under this chapter, the order of the  
5 educational service district superintendent establishing the terms of  
6 adjustment of bonded indebtedness shall provide and specify:

7        (1) In every case where bonded indebtedness is transferred from one  
8 school district to another school district:

9        (a) That such bonded indebtedness is assumed by the school district  
10 to which it is transferred;

11        (b) That thereafter such bonded indebtedness shall be the  
12 obligation of the school district to which it is transferred;

13        (c) That, if the terms of adjustment so provide, any bonded  
14 indebtedness thereafter incurred by such transferee school district  
15 through the sale of bonds authorized before the date its boundaries  
16 were altered shall be the obligation of such school district including  
17 the territory added thereto; and

18        (d) That taxes shall be levied thereafter against the taxable  
19 property located within such school district as it is constituted after  
20 its boundaries were altered, the taxes to be levied at the times and in  
21 the amounts required to pay the principal of and the interest on the  
22 bonded indebtedness assumed or incurred, as the same become due and  
23 payable.

24        (2) In computing the debt limitation of any school district from  
25 which or to which bonded indebtedness has been transferred, the amount  
26 of transferred bonded indebtedness at any time outstanding:

27        (a) Shall be an offset against and deducted from the total bonded  
28 indebtedness, if any, of the school district from which the bonded  
29 indebtedness was transferred; and

30        (b) Shall be deemed to be bonded indebtedness solely of the  
31 transferee school district that assumed the indebtedness.

32        (3) In every case where adjustments of bonded indebtedness do  
33 not provide for transfer of bonded indebtedness from one school  
34 district to another school district:

35        (a) That the existing bonded indebtedness of each school district,  
36 the boundaries of which are altered and any bonded indebtedness  
37 incurred by each such school district through the sale of bonds  
38 authorized before the date its boundaries were altered is the

1 obligation of the school district in its reduced or enlarged form, as  
2 the case may be; and

3 (b) That taxes shall be levied thereafter against the taxable  
4 property located within each such school district in its reduced or  
5 enlarged form, as the case may be, at the times and in the amounts  
6 required to pay the principal of and interest on such bonded  
7 indebtedness as the same become due and payable.

8 (4) If a change in school district organization approved by the  
9 state council concerns a proposal to form a new school district or a  
10 proposal for adjustment of bonded indebtedness involving an established  
11 school district and one or more former school districts now included  
12 therein pursuant to a vote of the people concerned, a special election  
13 of the voters residing within the territory of the proposed new  
14 district, or of the established district involved in a proposal for  
15 adjustment of bonded indebtedness as the case may be, shall be held for  
16 the purpose of affording those voters an opportunity to approve or  
17 reject such proposals as concern or affect them.

18 (5) In a case involving both the question of the formation of a new  
19 school district and the question of adjustment of bonded indebtedness,  
20 the questions may be submitted to the voters either in the form of a  
21 single proposition or as separate propositions, whichever seems  
22 expedient to the educational service district superintendent. When the  
23 state council has passed appropriate resolutions for the questions to  
24 be submitted and the educational service district superintendent has  
25 given notice thereof to the county auditor, the special election shall  
26 be called and conducted, and the returns canvassed as in regular school  
27 district elections.

28 NEW SECTION. **Sec. 704.** NOTICE OF ELECTIONS. Notice of special  
29 elections as provided for in section 703 of this act shall be given by  
30 the county auditor as provided in RCW 29.27.080. The notice of  
31 election shall state the purpose for which the election has been called  
32 and contain a description of the boundaries of the proposed new  
33 district and a statement of any terms of adjustment of bonded  
34 indebtedness on which to be voted.

35 NEW SECTION. **Sec. 705.** VOTE--DETERMINATION--ORDER--CERTIFICATION.  
36 (1) If a special election is held to vote on a proposal or alternate  
37 proposals to form a new school district, the votes cast by the

1 registered voters in each component district shall be tabulated  
2 separately. Any such proposition shall be considered approved only if  
3 it receives a majority of the votes cast in each separate district  
4 voting thereon.

5 (2) If a special election is held to vote on a proposal for  
6 adjustment of bonded indebtedness, the entire vote cast by the  
7 registered voters of the proposed new district or of the established  
8 district as the case may be shall be tabulated. Any such proposition  
9 shall be considered approved if sixty percent or more of all votes cast  
10 thereon are in the affirmative.

11 (3) In the event of approval of a proposition or propositions voted  
12 on at a special election, the educational service district  
13 superintendent shall:

14 (a) Make an order establishing such new school district or such  
15 terms of adjustment of bonded indebtedness or both, as were approved by  
16 the registered voters and shall also order such other terms of  
17 adjustment, if there are any, of property and other assets and of  
18 liabilities other than bonded indebtedness as have been approved by the  
19 state council; and

20 (b) Certify his or her action to the county and school district  
21 officials specified in section 403 of this act. The educational  
22 service district superintendent may designate, with the approval of the  
23 superintendent of public instruction, a name and number different from  
24 that of any component thereof, but must designate the new district by  
25 name and number different from any other district in existence in the  
26 county.

27 (4) The educational service district superintendent shall fix as  
28 the effective date of any order or orders he or she is required to make  
29 by this chapter, the date specified in the order of final approval of  
30 any change in the organization and extent of school districts or of any  
31 terms of adjustment of the assets and liabilities of school districts  
32 subject, for taxing purposes, to the redrawing of taxing district  
33 boundaries under RCW 84.09.030, by the state council.

34 (5) Upon receipt of certification under this section, the  
35 superintendent of each school district that is included in the new  
36 district shall deliver to the superintendent of the new school district  
37 those books, papers, documents, records, and other materials pertaining  
38 to the territory transferred.

1        NEW SECTION.    **Sec. 706.**    REJECTION OF PROPOSAL--PROCEDURE.    If a  
2 proposal for the formation of a new school district and for adjustment  
3 of bonded indebtedness, or either, is rejected by the registered voters  
4 at a special election, the matter is terminated.

5        NEW SECTION.    **Sec. 707.**    CORPORATE EXISTENCE--PAYMENT OF BONDED  
6 INDEBTEDNESS--LEVY AUTHORITY.    (1) Each school district involved in or  
7 affected by any change made in the organization and extent of school  
8 districts under this chapter retains its corporate existence insofar as  
9 is necessary for the purpose, until the bonded indebtedness outstanding  
10 against it on and after the effective date of the change has been paid  
11 in full.    This section may not be construed to prevent, after the  
12 effective date of the change, such adjustments of bonded indebtedness  
13 as are provided for in this chapter.

14        (2) The county legislative authority shall provide, by appropriate  
15 levies on the taxable property of each school district, for the payment  
16 of the bonded indebtedness outstanding against it after any of the  
17 changes or adjustments under this chapter have been effected.

18        (3) In case any such changes or adjustments involve a joint school  
19 district, the tax levy for the payment of any bonded indebtedness  
20 outstanding against the joint district, after the changes or  
21 adjustments are effected, shall be made and the proceeds thereof shall  
22 be transmitted, credited, and paid out in conformity with the  
23 provisions of law applicable to the payment of the bonded indebtedness  
24 of joint school districts.

25        **Sec. 708.**    RCW 36.70A.035 and 1997 c 429 s 9 are each amended to  
26 read as follows:

27        (1) The public participation requirements of this chapter shall  
28 include notice procedures that are reasonably calculated to provide  
29 notice to property owners and other affected and interested  
30 individuals, tribes, government agencies, businesses, school districts,  
31 and organizations of proposed amendments to comprehensive plans and  
32 development regulation.    Examples of reasonable notice provisions  
33 include:

34        (a) Posting the property for site-specific proposals;

35        (b) Publishing notice in a newspaper of general circulation in the  
36 county, city, or general area where the proposal is located or that  
37 will be affected by the proposal;

1 (c) Notifying public or private groups with known interest in a  
2 certain proposal or in the type of proposal being considered;

3 (d) Placing notices in appropriate regional, neighborhood, ethnic,  
4 or trade journals; and

5 (e) Publishing notice in agency newsletters or sending notice to  
6 agency mailing lists, including general lists or lists for specific  
7 proposals or subject areas.

8 (2)(a) Except as otherwise provided in (b) of this subsection, if  
9 the legislative body for a county or city chooses to consider a change  
10 to an amendment to a comprehensive plan or development regulation, and  
11 the change is proposed after the opportunity for review and comment has  
12 passed under the county's or city's procedures, an opportunity for  
13 review and comment on the proposed change shall be provided before the  
14 local legislative body votes on the proposed change.

15 (b) An additional opportunity for public review and comment is not  
16 required under (a) of this subsection if:

17 (i) An environmental impact statement has been prepared under  
18 chapter 43.21C RCW for the pending resolution or ordinance and the  
19 proposed change is within the range of alternatives considered in the  
20 environmental impact statement;

21 (ii) The proposed change is within the scope of the alternatives  
22 available for public comment;

23 (iii) The proposed change only corrects typographical errors,  
24 corrects cross-references, makes address or name changes, or clarifies  
25 language of a proposed ordinance or resolution without changing its  
26 effect;

27 (iv) The proposed change is to a resolution or ordinance making a  
28 capital budget decision as provided in RCW 36.70A.120; or

29 (v) The proposed change is to a resolution or ordinance enacting a  
30 moratorium or interim control adopted under RCW 36.70A.390.

31 (3) This section is prospective in effect and does not apply to a  
32 comprehensive plan, development regulation, or amendment adopted before  
33 July 27, 1997.

34

## PART 8

35

### MISCELLANEOUS PROVISIONS

36 **Sec. 801.** RCW 28A.540.010 and 1985 c 385 s 31 are each amended to  
37 read as follows:

1 High school facilities shall mean buildings for occupancy by grades  
2 nine through twelve and equipment and furniture for such buildings and  
3 shall include major alteration or major remodeling of buildings and the  
4 acquisition of new sites and of additions to existing sites, and  
5 improvement of sites but only when included as a part of a general plan  
6 for the construction, equipping and furnishing of a building or of an  
7 alteration or addition to a building. The term shall also (1) include  
8 that portion of any building, alteration, equipment, furniture, site  
9 and improvement of site allocated to grade nine when included in a plan  
10 for facilities to be occupied by grades seven through nine and (2)  
11 includes such facilities for grades seven and eight when included in a  
12 plan as aforesaid, if the (~~regional committee on school district~~  
13 ~~organization~~) superintendent of public instruction finds that students  
14 of these grades who reside in any nonhigh school districts involved are  
15 now attending school in the high school district involved under an  
16 arrangement which likely will be continued.

17 **Sec. 802.** RCW 28A.540.020 and 1985 c 385 s 32 are each amended to  
18 read as follows:

19 Upon receipt of a written request from the board of directors of a  
20 high school district or a nonhigh school district that presents to the  
21 (~~regional committee on school district organization~~) superintendent  
22 of public instruction satisfactory evidence of a need for high school  
23 facilities to be located therein and of ability to provide such  
24 facilities, the (~~regional committee~~) superintendent of public  
25 instruction shall prepare a plan for approval by the state board of  
26 education for participation by any nonhigh school district or districts  
27 in providing capital funds to pay the costs of such school facilities  
28 and equipment to be provided for the education of students residing in  
29 the school districts. Prior to submission of the aforesaid request the  
30 board of directors of the school district concerned therewith shall  
31 determine the nature and extent of the high school facilities proposed  
32 to be provided, the approximate amount of local capital funds required  
33 to pay the cost thereof, and the site or sites upon which the proposed  
34 facilities are to be located, and shall submit a report thereon to the  
35 (~~regional committee~~) superintendent of public instruction along with  
36 the aforesaid request.



1       **Sec. 803.** RCW 28A.540.030 and 1985 c 385 s 33 are each amended to  
2 read as follows:

3       The ~~((regional committee on school district organization))~~  
4 superintendent of public instruction shall give consideration to:

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

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

14       (3) The assessed valuation of the school districts involved;

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

19       (5) Any other factors found by the ~~((committee))~~ superintendent of  
20 public instruction under state board of education rules to have a  
21 bearing on the preparation of an equitable plan.

22       **Sec. 804.** RCW 28A.540.050 and 1990 c 33 s 485 are each amended to  
23 read as follows:

24       ~~((Subsequent to the holding of a hearing or hearings as provided in~~  
25 ~~RCW 28A.540.040, the regional committee on school district~~  
26 ~~organization))~~ The superintendent of public instruction shall determine  
27 the nonhigh school districts to be included in the plan and the amount  
28 of capital funds to be provided by every school district included  
29 therein, and shall submit the proposed plan to the state board of  
30 education together with such maps and other materials pertaining  
31 thereto as the state board may require. The state board shall review  
32 such plan, shall approve any plan which in its judgment makes adequate  
33 and satisfactory provision for participation by the nonhigh school  
34 districts in providing capital funds to be used for the purpose above  
35 stated, and shall notify the ~~((regional committee))~~ educational service  
36 district superintendent of such action. Upon receipt ~~((by the regional~~  
37 ~~committee))~~ of such notification, the educational service district  
38 superintendent, or his or her designee, shall notify the board of

1 directors of each school district included in the plan, supplying each  
2 board with complete details of the plan and shall state the total  
3 amount of funds to be provided and the amount to be provided by each  
4 district.

5 If any such plan submitted by (~~a regional committee~~) the  
6 superintendent of public instruction is not approved by the state  
7 board, the (~~regional committee~~) educational service district  
8 superintendent shall be so notified, which notification shall contain  
9 a statement of reasons therefor and suggestions for revision. Within  
10 sixty days thereafter the (~~regional committee~~) superintendent of  
11 public instruction shall submit to the state board a revised plan which  
12 revision shall be subject to approval or disapproval by the state board  
13 and the procedural requirements and provisions of law applicable to an  
14 original plan submitted to said board.

15 **Sec. 805.** RCW 28A.540.070 and 1990 c 33 s 486 are each amended to  
16 read as follows:

17 In the event that a proposal or proposals for providing capital  
18 funds as provided in RCW 28A.540.060 is not approved by the voters of  
19 a nonhigh school district a second election thereon shall be held  
20 within sixty days thereafter. If the vote of the electors of the  
21 nonhigh school district is again in the negative, the high school  
22 students residing therein shall not be entitled to admission to the  
23 high school under the provisions of RCW 28A.225.210, following the  
24 close of the school year during which the second election is held:  
25 PROVIDED, That in any such case the (~~regional committee on school~~  
26 ~~district organization~~) educational service district superintendent  
27 shall determine within thirty days after the date of the aforesaid  
28 election the advisability of initiating a proposal for annexation of  
29 such nonhigh school district to the school district in which the  
30 proposed facilities are to be located or to some other district where  
31 its students can attend high school without undue inconvenience:  
32 PROVIDED FURTHER, That pending such determination by the (~~regional~~  
33 ~~committee~~) educational service district superintendent and action  
34 thereon as required by law the board of directors of the high school  
35 district shall continue to admit high school students residing in the  
36 nonhigh school district. Any proposal for annexation of a nonhigh  
37 school district initiated by (~~a regional committee~~) an educational  
38 service district superintendent shall be subject to the procedural

1 requirements of this chapter respecting a public hearing and submission  
2 to and approval by the state board of education. Upon approval by the  
3 state board of any such proposal, the educational service district  
4 superintendent shall make an order, establishing the annexation.

5 **Sec. 806.** RCW 28A.540.080 and 1990 c 33 s 487 are each amended to  
6 read as follows:

7 In case of failure or refusal by a board of directors of a nonhigh  
8 school district to submit a proposal or proposals to a vote of the  
9 electors within the time limit specified in RCW 28A.540.060 and  
10 28A.540.070, the ((~~regional committee on school district~~  
11 ~~reorganization~~)) educational service district superintendent may  
12 initiate a proposal for annexation of such nonhigh school district as  
13 provided for in RCW 28A.540.070.

14 NEW SECTION. **Sec. 807.** The following acts or parts of acts are  
15 each repealed:

16 (1) RCW 28A.305.150 (Classification, numbering system of school  
17 districts--Rules and regulations for) and 1971 c 54 s 1 & 1969 ex.s. c  
18 223 s 28A.04.130;;

19 (2) RCW 28A.315.010 (Purpose) and 1990 c 33 s 292 & 1969 ex.s. c  
20 223 s 28A.57.010;

21 (3) RCW 28A.315.020 (Definitions) and 1990 c 33 s 293, 1985 c 385  
22 s 1, 1983 c 3 s 33, 1975 1st ex.s. c 275 s 78, 1971 c 48 s 25, & 1969  
23 ex.s. c 223 s 28A.57.020;

24 (4) RCW 28A.315.030 (County regional committee members--Assignment  
25 of committee member position numbers) and 1993 c 416 s 1, 1990 c 33 s  
26 294, & 1985 c 385 s 30;

27 (5) RCW 28A.315.130 (Changing conflicting or incorrectly described  
28 school district boundaries) and 1985 c 385 s 11 & 1971 ex.s. c 282 s  
29 26;

30 (6) RCW 28A.315.140 (Powers and duties of state board, generally)  
31 and 1990 c 33 s 300, 1987 c 100 s 2, 1985 c 385 s 12, & 1969 ex.s. c  
32 223 s 28A.57.060;

33 (7) RCW 28A.315.150 (Action upon board's report) and 1990 c 33 s  
34 301, 1985 c 385 s 13, 1975 1st ex.s. c 275 s 84, 1969 ex.s. c 176 s  
35 121, & 1969 ex.s. c 223 s 28A.57.070;

1 (8) RCW 28A.315.160 (Adjustment of bonded indebtedness--Special  
2 election in certain cases) and 1985 c 385 s 14, 1975 1st ex.s. c 275 s  
3 85, 1969 ex.s. c 176 s 122, & 1969 ex.s. c 223 s 28A.57.075;

4 (9) RCW 28A.315.170 (Notice of election--Contents) and 1990 c 33 s  
5 302, 1985 c 385 s 15, 1975 1st ex.s. c 275 s 86, 1971 c 48 s 26, & 1969  
6 ex.s. c 223 s 28A.57.080;

7 (10) RCW 28A.315.180 (Vote, how determined--ESD superintendent's  
8 order--Certification--Effective date) and 1990 c 33 s 303, 1985 c 385  
9 s 16, 1975 1st ex.s. c 275 s 87, 1969 ex.s. c 176 s 123, & 1969 ex.s.  
10 c 223 s 28A.57.090;

11 (11) RCW 28A.315.190 (Procedure upon rejection of proposal) and  
12 1985 c 385 s 17 & 1969 ex.s. c 223 s 28A.57.100;

13 (12) RCW 28A.315.200 (Personnel and supplies to be furnished by  
14 state superintendent--Expenses reimbursed) and 1990 c 33 s 304, 1985 c  
15 385 s 18, & 1969 ex.s. c 223 s 28A.57.110;

16 (13) RCW 28A.315.210 (Appeal) and 1990 c 33 s 305, 1983 c 3 s 34,  
17 & 1969 ex.s. c 223 s 28A.57.120;

18 (14) RCW 28A.315.230 (Classes of districts--Change of  
19 classification) and 1991 c 116 s 25, 1990 c 33 s 306, & 1975-'76 2nd  
20 ex.s. c 15 s 3;

21 (15) RCW 28A.315.240 (Classes of districts--Change of  
22 classification--Delay of authorized) and 1975 c 43 s 35;

23 (16) RCW 28A.315.250 (City or town districts) and 1997 c 47 s 1,  
24 1985 c 385 s 19, 1975 1st ex.s. c 275 s 90, 1969 ex.s. c 176 s 126, &  
25 1969 ex.s. c 223 s 28A.57.150;

26 (17) RCW 28A.315.260 (Reorganization of districts by transfer of  
27 territory or annexation) and 1969 ex.s. c 223 s 28A.57.160;

28 (18) RCW 28A.315.270 (Petition for reorganization--Conditions) and  
29 1985 c 385 s 20, 1982 c 191 s 1, 1975 1st ex.s. c 275 s 91, 1969 ex.s.  
30 c 176 s 127, & 1969 ex.s. c 223 s 28A.57.170;

31 (19) RCW 28A.315.280 (Transfer of territory--By petition--By ESD  
32 superintendent--When election required) and 1985 c 385 s 21, 1975 1st  
33 ex.s. c 275 s 92, 1969 ex.s. c 176 s 128, & 1969 ex.s. c 223 s  
34 28A.57.180;

35 (20) RCW 28A.315.290 (Annexation of district bounded on three sides  
36 by high school district) and 1985 c 385 s 22, 1975 1st ex.s. c 275 s  
37 93, 1969 ex.s. c 176 s 129, & 1969 ex.s. c 223 s 28A.57.190;

1 (21) RCW 28A.315.300 (Single school district for certain United  
2 States military reservations--Mandated) and 1990 c 33 s 307 & 1972  
3 ex.s. c 63 s 1;

4 (22) RCW 28A.315.310 (Single school district for certain United  
5 States military reservations--Procedure--Limitations) and 1990 c 33 s  
6 308, 1985 c 385 s 23, & 1972 ex.s. c 63 s 2;

7 (23) RCW 28A.315.320 (Dissolution and annexation of certain  
8 districts--Annexation of nondistrict property) and 1985 c 385 s 24 &  
9 1975-'76 2nd ex.s. c 15 s 4;

10 (24) RCW 28A.315.330 (Adjustment of indebtedness--Basis) and 1969  
11 ex.s. c 223 s 28A.57.210;

12 (25) RCW 28A.315.340 (Corporate existence retained to pay bonded  
13 indebtedness--Tax levies--Joint school districts) and 1969 ex.s. c 223  
14 s 28A.57.220;

15 (26) RCW 28A.315.690 (Change of district name--Authorized--Petition  
16 for) and 1969 ex.s. c 223 s 28A.58.600;

17 (27) RCW 28A.315.700 (Change of district name--Public hearing on--  
18 Notice of--Hearing may include additional petitions) and 1969 ex.s. c  
19 223 s 28A.58.601;

20 (28) RCW 28A.315.710 (Change of district name--Board selection of  
21 name for voter approval) and 1969 ex.s. c 223 s 28A.58.602;

22 (29) RCW 28A.315.720 (Change of district name--Procedure upon voter  
23 approval--Recording--Notice to interested institutions) and 1975 1st  
24 ex.s. c 275 s 114, 1971 c 48 s 32, & 1969 ex.s. c 223 s 28A.58.603; and

25 (30) RCW 28A.540.040 (Public hearing--Notice) and 1985 c 385 s 34,  
26 1975 1st ex.s. c 275 s 74, 1971 c 48 s 21, & 1969 ex.s. c 223 s  
27 28A.56.030.

28 NEW SECTION. **Sec. 808.** The following acts or parts of acts, as  
29 now existing or hereafter amended, are each repealed, effective January  
30 10, 2000:

31 (1) RCW 28A.315.040 (Regional committees--Created) and 1985 c 385  
32 s 2 & 1969 ex.s. c 223 s 28A.57.030;

33 (2) RCW 28A.315.050 (Regional committees--Membership limitation)  
34 and 1985 c 385 s 3, 1975 1st ex.s. c 275 s 79, 1969 ex.s c 176 s 115,  
35 & 1969 ex.s. c 223 s 28A.57.031;

36 (3) RCW 28A.315.060 (Regional committees--Election of members--  
37 Qualifications) and 1993 c 416 s 2, 1990 c 33 s 295, 1985 c 385 s 4, &  
38 1975-'76 2nd ex.s. c 15 s 1;

1 (4) RCW 28A.315.070 (Regional committees--Vacancies, filling of)  
2 and 1985 c 385 s 5, 1975 1st ex.s. c 275 s 81, 1969 ex.s. c 176 s 117,  
3 & 1969 ex.s. c 223 s 28A.57.033;

4 (5) RCW 28A.315.080 (Regional committees--Terms of members) and  
5 1993 c 416 s 3, 1990 c 33 s 296, 1985 c 385 s 6, & 1969 ex.s. c 223 s  
6 28A.57.034;

7 (6) RCW 28A.315.090 (Regional committees--Members' expenses  
8 reimbursed) and 1985 c 385 s 7, 1969 ex.s. c 176 s 118, & 1969 ex.s. c  
9 223 s 28A.57.035;

10 (7) RCW 28A.315.100 (Regional committees--Organization, meetings,  
11 quorum) and 1990 c 33 s 297, 1985 c 385 s 8, 1975 1st ex.s. c 275 s 82,  
12 1969 ex.s. c 176 s 119, & 1969 ex.s. c 223 s 28A.57.040;

13 (8) RCW 28A.315.110 (Regional committees--Powers and duties) and  
14 1991 c 288 s 2; and

15 (9) RCW 28A.315.120 (Regional committees--Recommendations--  
16 Standards) and 1990 c 33 s 299, 1985 c 385 s 10, & 1969 ex.s. c 223 s  
17 28A.57.055.

18 NEW SECTION. **Sec. 809.** RCW 28A.315.220 is recodified as a new  
19 section in chapter 28A.315 RCW, to be codified between sections 201 and  
20 202 of this act.

21 NEW SECTION. **Sec. 810.** The following sections are each recodified  
22 as a new chapter in Title 28A RCW:

23 RCW 28A.315.350

24 RCW 28A.315.380

25 RCW 28A.315.390

26 RCW 28A.315.400

27 RCW 28A.315.410

28 RCW 28A.315.420

29 RCW 28A.315.430

30 RCW 28A.315.440

31 NEW SECTION. **Sec. 811.** The following sections are each recodified  
32 as a new chapter in Title 28A RCW:

33 RCW 28A.315.450

34 RCW 28A.315.650

35 RCW 28A.315.470

36 RCW 28A.315.480

1 RCW 28A.315.490  
2 RCW 28A.315.500  
3 RCW 28A.315.530  
4 RCW 28A.315.510  
5 RCW 28A.315.540

6 NEW SECTION. **Sec. 812.** The following sections are each recodified  
7 as a new chapter in Title 28A RCW:

8 RCW 28A.315.570  
9 RCW 28A.315.460  
10 RCW 28A.315.600  
11 RCW 28A.315.610  
12 RCW 28A.315.620  
13 RCW 28A.315.630  
14 RCW 28A.315.670  
15 RCW 28A.315.680  
16 RCW 28A.315.550

17 NEW SECTION. **Sec. 813.** The following sections are each recodified  
18 as a new chapter in Title 28A RCW:

19 RCW 28A.315.560  
20 RCW 28A.315.580  
21 RCW 28A.315.590  
22 RCW 28A.315.593  
23 RCW 28A.315.660  
24 RCW 28A.315.597  
25 RCW 28A.315.640

26 NEW SECTION. **Sec. 814.** MORATORIUM ON PETITIONS. The state board  
27 may, at its discretion, declare a moratorium on new petitions until  
28 such time as the rules have been adopted to implement chapter . . . ,  
29 Laws of 1999 (this act). The state board shall adopt emergency rules  
30 necessary to begin consideration of changes initiated after the  
31 effective date of this section, at least regarding the part of the  
32 process that does not involve the state council.

33 NEW SECTION. **Sec. 815.** PART HEADINGS AND SECTION CAPTIONS NOT  
34 LAW. Part headings and section captions used in this act are not any  
35 part of the law.

1        NEW SECTION.    **Sec. 816.**    Sections 1, 101, 201, 202, 204 through  
2 208, 301 through 310, 401 through 403, 501, 601, 701 through 707, 814,  
3 and 815 of this act are each added to chapter 28A.315 RCW.

4        NEW SECTION.    **Sec. 817.**    Sections 1, 101, 201 through 208, 301  
5 through 310, 401 through 403, 501, 601, 701 through 708, 801 through  
6 807, and 809 through 815 of this act are necessary for the immediate  
7 preservation of the public peace, health, or safety, or support of the  
8 state government and its existing public institutions, and take effect  
9 immediately.

--- END ---