

Chapter 335

1991 EDITION

High Schools

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CROSS REFERENCES

- Actions by and against school districts, 30.260 to 30.300
- City zoning ordinances apply to school district property, 227.286
- District election procedures, Ch. 255
- Mandated merger of union high school districts with component elementary districts, 1991 c.393
- Refund of taxes when property taxed twice for high school purposes, 311.821
- Validity of school district creation and subsequent proceedings, procedure to test, 33.710, 33.720

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- Local school committees:
Generally, 330.425
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EDUCATION AND CULTURAL FACILITIES

335.005 [Amended by 1957 c.310 §16; repealed by 1965 c.100 §456]

335.010 [Repealed by 1965 c.100 §456]

335.015 [Repealed by 1965 c.100 §456]

335.020 [Repealed by 1965 c.100 §456]

335.025 [Repealed by 1965 c.100 §456]

335.030 [Repealed by 1965 c.100 §456]

335.035 [Repealed by 1965 c.100 §456]

335.040 [Repealed by 1965 c.100 §456]

335.045 [Repealed by 1965 c.100 §456]

335.050 [Repealed by 1965 c.100 §456]

335.055 [Repealed by 1965 c.100 §456]

335.060 [Repealed by 1965 c.100 §456]

335.065 [Repealed by 1965 c.100 §456]

335.070 [Repealed by 1965 c.100 §456]

335.075 [Repealed by 1965 c.100 §456]

335.080 [Repealed by 1965 c.100 §456]

335.085 [Repealed by 1965 c.100 §456]

GENERAL PROVISIONS

(Responsibility)

335.090 School districts responsible for high school education; levy. (1) The high school education of all children of school age resident within a school district which does not operate a high school or which is not a component part of a union high school district or of a county high school district after July 1, 1960, shall be the responsibility of the district.

(2) The district shall pay the tuition of all pupils resident within the district who are qualified to attend and are attending a standard public high school either within or outside the state.

(3) The district shall furnish transportation to the nearest standard public high school which pupils may attend. Reasonable board and room may be furnished instead of transportation if desired. If the district arranges for the attendance of pupils at a standard public high school other than the nearest one pupils may attend, then the district may provide transportation to the standard public high school which the pupils are attending.

(4) The estimated cost of tuition and transportation or board and room instead of transportation shall be included in and be a part of the budget and shall be levied as provided in ORS 335.095. [1955 c.674 §3; 1957 c.583 §2; 1961 c.688 §1; 1963 c.158 §1; 1965 c.100 §212]

335.095 Levy of taxes in certain school districts for high school purposes. The amounts required to meet the expenses of a school district under ORS 335.090 shall be certified to the county assessor separately. No tax shall be levied for the purposes of ORS 335.090 against property included in a union high school district or a county high school district. [1961 c.688 §2]

(Reports)

335.105 Report on high school graduates by race and ethnic characteristics. Any school district operating a high school shall report annually to the Department of Education the race and ethnic characteristics of each school's graduates under rules adopted by the State Board of Education. [1991 c.440 §1]

Note: 335.105 to 335.180 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 335 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

(Student Retention)

335.125 Policy to encourage students to remain in school; rules applicable to student employment. (1) It is the policy of the State of Oregon to encourage students to remain in school and to earn their Certificates of Initial Mastery and Certificates of Advanced Mastery before seeking employment during the regular school year.

(2) With the advice of the Wage and Hour Commission and in consultation with the Workforce Quality Council and the State Board of Higher Education, the State Board of Education shall propose rules applicable to the continuation of education of minors who have not obtained the Certificate of Initial Mastery and the Certificate of Advanced Mastery and who seek to be employed during the regular school year. The proposed rules shall provide opportunities to participate in the employment decision-making relating to the minor, by the minor, the minor's parents or guardian, local school authorities and the potential employer.

(3) The state board shall submit its proposed rules to the Legislative Assembly for review not later than January 1, 1993.

(4) If the state board's proposed rules are approved by the Legislative Assembly, the state board's proposed rules shall take effect July 1, 1997.

(5) Nothing in this section is intended to affect the authority of the Wage and Hour Commission to regulate the employment conditions of minors under ORS 653.305 to 653.545. [1991 c.693 §22]

Note: See note under 335.105.

Student Certificate Program

335.140 Certificate of Initial Mastery.

(1) By the end of the 1996-1997 school year, every student shall have the opportunity by 16 years of age or upon completing grade 10 to obtain a Certificate of Initial Mastery.

(2) The State Board of Education shall prescribe the standards, pursuant to ORS

326.715 and 326.720, that a student must meet in order to obtain a Certificate of Initial Mastery. The Certificate of Initial Mastery shall be based on a series of performance-based assessments benchmarked to mastery levels at approximately grades 3, 5, 8 and 10 including but not limited to work samples, tests and portfolios. Students shall be allowed to collect credentials over a period of years, culminating in a project or exhibition that demonstrates attainment of the required knowledge and skills.

(3) Requirements for the Certificate of Initial Mastery shall:

(a) Assure that a student has the knowledge and skills to read, write, problem solve, think critically and communicate across the disciplines, at national levels by the year 2000 and at international levels by the year 2010; and

(b) Assure that students exhibit the capacity to learn, think, reason, retrieve information and work effectively alone and in groups.

(4) A Certificate of Initial Mastery shall be required for entry into college preparatory and academic professional technical programs leading to the appropriate indorsement.

(5) On or before January 1, 1995, each school district shall present a plan to the Department of Education setting forth the steps the district has taken to insure that its curriculum meets the requirements necessary for the students of the district to obtain Certificates of Initial Mastery. Each district's plan shall include options for achieving the certificate through alternative educational programs, including but not limited to those offered at Learning Centers established pursuant to ORS 336.157.

(6) The provisions of this section may be applied individually as appropriate to students enrolled in special education programs under ORS chapter 343.

(7) The Department of Education shall develop procedures to accommodate out-of-state students, students taught by a parent or private teachers pursuant to ORS 339.035, private school students transferring into public schools and migrant children from other states and countries. [1991 c.693 §20]

Note: See note under 335.105.

335.150 Entitlement of student with Certificate of Initial Mastery. (1) Beginning with the 1997-1998 school year, any student who has received a Certificate of Initial Mastery shall be entitled to attend any public educational institution that enrolls the student and provides a program leading to the achievement of a Certificate of Ad-

vanced Mastery and a college preparatory or academic professional technical indorsement, or both, and meets the requirements of the State Board of Education.

(2) In establishing the requirements for Certificates of Advanced Mastery with indorsements, the State Board of Education shall facilitate the movement between the indorsements and shall encourage choice and mobility so as to enhance a student's opportunities to maximize exposure to the full range of educational experiences.

(3) The institution shall be reimbursed for the student's tuition by the district in which the student resides pursuant to ORS 339.115 and rules of the State Board of Education, in an amount not to exceed the student's tuition or the amount the district receives for the student from state funds, whichever is less. A school district shall not receive state funds for the student in an amount that exceeds the student's tuition. Any adult who wishes to pursue an indorsement, or any student having earned the Certificate of Advanced Mastery or who has attained 19 years of age and who wishes to continue a program, may do so by paying tuition. As used in this section, "public educational institution" does not include a public school to which a student has transferred under ORS 335.160.

(4) A high school diploma issued by an accredited private or out-of-state secondary school as signifying successful completion of grade 12 shall be considered acceptable in lieu of a Certificate of Advanced Mastery for purposes of any rights or privileges that attach to the holder of a Certificate of Advanced Mastery. [1991 c.693 §25]

Note: See note under 335.105.

335.160 Assessment system leading to initial certificate; when additional service available to student; when student transfer authorized. (1) The Department of Education shall implement an assessment system for all students, including performance-based assessment of the knowledge and skills necessary to achieve the standards for each mastery level leading to the Certificate of Initial Mastery. However, until this plan is operational, assessment shall continue at grades 3, 5, 8 and 10.

(2) The State Board of Education by rule shall establish criteria for determining whether students have demonstrated the knowledge and skills necessary to perform successfully at each level in the manner described in ORS 335.140, beginning with the 1994-1995 school year.

(3) The resident district shall be accountable for the student's satisfactory progress, as set forth in subsection (4) of this

section, or be responsible for finding alternative learning environments, with the concurrence of the student's parents or guardian.

(4) If, at any point, a student is not making satisfactory progress toward attainment of the standard at grades 3, 5, 8 and 10, including the Certificates of Initial Mastery and Advanced Mastery, the school district shall make additional services available to the student, that may include but need not be limited to:

- (a) A restructured school day;
- (b) Additional school days;
- (c) Individualized instruction and other alternative instructional practices; and
- (d) Family evaluation and social services, as appropriate.

(5) If the student to whom additional services have been made available fails to demonstrate the knowledge and skills required at the mastery level within one year after the determination under subsection (2) of this section, even though the student would be or is promoted to the next level, the student shall be allowed to transfer to another public school in the district or to a public school in another district that agrees to accept the student. The district that receives the student shall be entitled to payment. The payment shall consist of:

(a) An amount equal to the district expenses from its local revenues for each student in average daily membership, payable by the resident district in the same year; and

(b) Any state and federal funds the attending district is entitled to receive payable as provided in ORS 332.595 (2). [1991 c.693 §21]

Note: See note under 335.105.

335.170 Certificate of Advanced Mastery. A student who has obtained a Certificate of Initial Mastery and who enrolls in a college preparatory program shall be entitled to receive a Certificate of Advanced Mastery with a college preparatory indorsement if the student meets the requirements established by rule of the State Board of Education, prepared in consultation with the State Board of Higher Education. [1991 c.693 §29]

Note: See note under 335.105.

335.180 Programs allowing student to qualify for advanced certificate. (1) Commencing no later than September 1997, each school district shall institute programs that allow students to qualify for a Certificate of Advanced Mastery with college preparatory and academic professional technical indorsements. Study may be undertaken in a public school, community college or public professional technical school, or any combination thereof, and must involve at least two

years of study or a combination of work and study. The certificate program must include a comprehensive educational component.

(2) The student must demonstrate mastery of knowledge and skills on performance-based assessments, where possible, using work samples, tests, portfolios or other means. All courses necessary for either indorsement shall be available to students irrespective of their chosen indorsement area. [1991 c.693 §27]

Note: See note under 335.105.

335.205 [Repealed by 1965 c.100 §456]

UNION HIGH SCHOOLS (Generally)

335.210 General school laws applicable. All applicable laws governing common school districts apply to union high school districts. [Amended by 1965 c.100 §213; 1975 c.770 §45]

335.215 [Repealed by 1965 c.100 §456]

335.220 [Amended by 1957 c.310 §17; repealed by 1965 c.100 §456]

335.225 [Repealed by 1965 c.100 §456]

335.230 [Repealed by 1965 c.100 §456]

335.235 [Amended by 1957 c.310 §18; repealed by 1965 c.100 §456]

335.240 [Repealed by 1965 c.100 §456]

335.245 [Repealed by 1965 c.100 §456]

335.250 [Repealed by 1965 c.100 §456]

335.255 [Amended by 1957 c.310 §19; repealed by 1965 c.100 §456]

335.260 [Repealed by 1965 c.100 §456]

335.265 [Repealed by 1965 c.100 §456]

335.270 [Repealed by 1965 c.100 §456]

335.275 [Repealed by 1965 c.100 §456]

335.280 [Repealed by 1965 c.100 §456]

335.285 [Repealed by 1965 c.100 §456]

335.290 Change in common districts not to affect union high school districts. The creation of a common school district out of territory included in a union high school district, or the changing of boundaries of any common school district included in a union high school district does not affect the union high school district. [Amended by 1965 c.100 §214]

335.295 [Repealed by 1965 c.100 §456]

335.300 [Repealed by 1965 c.100 §456]

335.305 [Amended by 1957 c.310 §20; repealed by 1965 c.100 §456]

335.310 [Repealed by 1965 c.100 §456]

335.315 [Repealed by 1965 c.100 §456]

335.320 [Repealed by 1965 c.100 §456]

335.325 [Amended by 1957 c.310 §21; repealed by 1965 c.100 §456]

335.330 [Repealed by 1965 c.100 §456]

335.335 [Repealed 1965 c.100 §456]

335.338 [Amended by 1957 c.310 §22; repealed by 1961 c.522 §9]

335.340 [Amended by 1955 c.535 §1; repealed by 1961 c.522 §9]

335.342 [Amended by 1955 c.535 §2; repealed by 1961 c.522 §9]

335.344 [Amended by 1955 c.535 §3; repealed by 1961 c.522 §9]

335.346 [1955 c.535 §4; repealed by 1961 c.522 §9]

335.348 [Amended by 1957 c.310 §23; repealed by 1961 c.522 §9]

335.350 [Repealed by 1961 c.522 §9]

335.353 [1961 c.522 §5; repealed by 1965 c.100 §456]

335.355 [Repealed by 1965 c.100 §456]

335.360 [Repealed by 1965 c.100 §456]

335.365 [Repealed by 1965 c.100 §456]

335.370 [Repealed by 1965 c.100 §456]

335.375 [Repealed by 1965 c.100 §456]

335.380 [Repealed by 1965 c.100 §456]

335.385 [Repealed by 1965 c.100 §456]

335.390 [Repealed by 1965 c.100 §456]

335.400 [Repealed by 1965 c.100 §456]

335.405 [Amended by 1959 c.456 §1; repealed by 1965 c.100 §456]

335.410 [Repealed by 1965 c.100 §456]

335.415 [Repealed by 1965 c.100 §456]

335.420 [Repealed by 1965 c.100 §456]

335.425 [Repealed by 1965 c.100 §456]

335.430 [Amended by 1955 c.460 §1; 1957 c.622 §9; repealed by 1965 c.100 §456]

335.435 [Amended by 1963 c.544 §41; repealed by 1965 c.100 §456]

335.440 [Repealed by 1965 c.100 §456]

335.445 [Repealed by 1965 c.100 §456]

335.450 [Amended by 1953 c.147 §3; repealed by 1965 c.100 §456]

335.455 [Repealed by 1965 c.100 §456]

335.460 [Repealed by 1965 c.100 §456]

335.465 Contracts with common school districts. The union high school board may for high school purposes contract with a common school district board for the use of any property belonging to the common school district and may purchase an undivided interest in the property of a common school district for the purpose of operating a high school thereon. [Amended by 1965 c.100 §215]

335.470 [Repealed by 1965 c.100 §456]

335.475 [Repealed by 1965 c.100 §456]

335.480 [Repealed by 1965 c.100 §456]

(Lengthening Course of Study)

335.482 Definitions for ORS 335.495 to 335.505. As used in ORS 335.495 to 335.505:

(1) "Component school district" means a common school district lying wholly or partly inside the boundaries of a union high school district.

(2) "Split school district" means a component school district lying partly inside and partly outside the boundaries of a union high school district or an elementary district where students attend in two or more union

high school districts upon completing either the sixth or eighth grades. [1967 c.106 §5; 1987 c.195 §4]

335.485 [Repealed by 1965 c.100 §456]

335.490 Extension of union high school course of study. (1) Except as otherwise provided in subsection (2) of this section, any union high school district may, when authorized by the electors of the district, extend the course of study in the district to include five years above the seventh grade or six years above the sixth grade, and in like descending order may extend its course to include any or all grades of the schools in the union high school district in the manner provided in ORS 335.495 to 335.505.

(2) No union high school district shall extend the course of study in the union high school district unless such course of study is extended to include all grades of the schools in the union high school district. [Amended by 1965 c.100 §216; 1967 c.106 §1; 1987 c.195 §2]

335.495 Election to lengthen course; ballot title if single district would result.

(1) Any union high school board may, or shall upon petition of 100 electors of the district, submit to the electors of the district the question of lengthening the course of study in the district.

(2) ORS chapter 255 governs the conduct of an election under this section. If a union high school district contains a split district, the electors from the split district shall not participate in an election under this section.

(3) If the result of the election to lengthen the course of study includes all grades within one single district, the ballot title must include a statement that the effect of an affirmative vote is that the component common and union high school districts shall be merged and only one common school district shall operate in the area in which the election is held. The ballot title must also list all affected school districts by name and district number, and specify which of those districts will be merged pursuant to ORS 335.505 if the measure is approved. The listing of affected school districts by name and district number shall not be considered part of the ballot title for the purpose of determining the number of words permitted under ORS 250.035. [Amended by 1957 c.310 §24; 1965 c.100 §217; 1967 c.106 §2; 1979 c.131 §1; 1983 c.83 §70; 1983 c.284 §13; 1983 c.350 §190; 1987 c.195 §3]

335.500 Procedure after election to lengthen course. (1) If the union high school board determines that a majority of votes cast in the union high school district at an election under ORS 335.495 are for the proposal to lengthen the course of study, it shall:

(a) Declare the proposal carried and certify the result to the district boundary board; and

(b) Submit to the Department of Education the complete course of study in the district.

(2) The lengthened course of study shall become effective following approval by the State Board of Education. [Amended by 1957 c.310 §25; 1965 c.100 §218; 1967 c.103 §1; 1983 c.350 §191; 1989 c.491 §22]

335.502 Cost of educating elementary pupils after course lengthened to include elementary grades. Whenever the course of study in a union high school district is extended to include grades below the ninth grade, the union high school district shall be responsible for providing for the education of the pupils in the included grades and the cost of educating such pupils shall be included in the union high school district budget and not in the budgets of the component common school districts. [1953 c.390 §1; 1965 c.100 §219]

335.505 Transformation of union high school district into common school district; continued existence of part of split district. (1) Notwithstanding any other statute, whenever all grades of the common schools within the union high school district come under the jurisdiction of the union high school board or whenever as a result of merger or boundary change the area within the boundaries of the union high school district becomes a single component school district having boundaries coterminous with the union high school district, the union high school district and its component districts other than split districts are to be considered merged and the area within the boundaries of the union high school district, excluding that part of any split school district that is within the boundaries, becomes a common school district responsible for educating children in grades 1 through 12 and all territory therein is withdrawn from any other type of school district except the education service district or the community college district of which it may have been a part. The union high school board shall continue as the board of the district until the next regular district election when the proper number of board members shall be elected. The terms of all board members in all component school districts other than split school districts shall terminate at the time the union high school board becomes the district school board. All property and obligations of the component school districts other than split school districts shall become the property and obligations of the new common school district except to the extent

that it was otherwise provided when such district is formed by merger.

(2) Whenever at the time a new common school district is formed as provided in subsection (1) of this section, if any component school district is a split school district, such district shall continue to exist and shall become responsible for education in grades K through 12 for students resident in the split district. [Amended by 1965 c.100 §220; 1967 c.106 §3; 1975 c.770 §46; 1983 c.350 §192; 1987 c.195 §1]

335.515 Local school committee; election; duties. (1) Whenever any union high school district votes to include all grades within a single district under ORS 335.505, the union high school district board may on its own motion, or must upon receipt of a petition signed by at least 100 of the electors of the district, provide for the election of a local school committee.

(2) The local school committee shall consist of three members elected by the electors of a zone or attendance unit designated by the district school board. At the first regular district election following the election to lengthen the course, there shall be elected three members of each local school committee. After the first election, members shall be elected as provided in ORS 330.665 and shall have the same authority and duties of local school committees in ORS 330.425. [1967 c.103 §3; 1983 c.350 §193; 1991 c.67 §82; 1991 c.167 §22]

(Adding Districts)

335.525 Effect of election to add districts to union high school district. In an election to add districts to a union high school district, if the district boundary board determines that the proposition carried in the union high school district by a majority of votes cast, and also carried in one or more of the common school districts by a majority of the votes cast in each district, it shall declare the proposition carried as to those common school districts only in which the proposition prevailed, and shall immediately proceed to change the boundaries of the union high school district to include those districts desiring to be added thereto. [1989 c.819 §7]

335.605 [Repealed by 1957 c.583 §1]

335.610 [Repealed by 1957 c.583 §1]

335.615 [Repealed by 1957 c.583 §1]

335.620 [Repealed by 1957 c.583 §1]

335.625 [Repealed by 1957 c.583 §1]

335.630 [Repealed by 1957 c.583 §1]

335.635 [Repealed by 1957 c.583 §1]

335.640 [Repealed by 1957 c.583 §1]

335.645 [Repealed by 1957 c.583 §1]

335.650 [Repealed by 1957 c.583 §1]

335.655 [Repealed by 1957 c.583 §1]

335.660 [Repealed by 1957 c.583 §1]

- 335.665** [Repealed by 1957 c.583 §1]
335.670 [Repealed by 1957 c.583 §1]
335.675 [Repealed by 1957 c.583 §1]
335.680 [Repealed by 1957 c.583 §1]
335.685 [Repealed by 1957 c.583 §1]
335.705 [Repealed by 1969 c.585 §3]
335.710 [Repealed by 1969 c.585 §3]
335.715 [Repealed by 1977 c.474 §3]
335.720 [Repealed by 1969 c.585 §3]
335.725 [Amended by 1967 c.67 §5; repealed by 1969 c.585 §3]
335.730 [Repealed by 1969 c.585 §3]
335.735 [Amended by 1965 c.239 §1; repealed by 1969 c.585 §3]
335.740 [Repealed by 1969 c.585 §3]
335.745 [Amended by 1963 c.544 §42; repealed by 1969 c.585 §3]
335.750 [Amended by 1965 c.172 §6; repealed by 1969 c.585 §3]
335.755 [Repealed by 1969 c.585 §3]
335.760 [Repealed by 1969 c.585 §3]
335.765 [Repealed by 1969 c.585 §3]
335.770 [Repealed by 1969 c.585 §3]
335.775 [Repealed by 1969 c.585 §3]
335.780 [Repealed by 1969 c.585 §3]
335.785 [Repealed by 1969 c.585 §3]
335.790 [Repealed by 1969 c.585 §3]
335.795 [Repealed by 1969 c.585 §3]
335.800 [Amended by 1963 c.576 §42; repealed by 1969 c.585 §3]
335.805 [Repealed by 1969 c.585 §3]
335.810 [Repealed by 1969 c.585 §3]
335.815 [Repealed by 1969 c.585 §3]
335.820 [Repealed by 1969 c.585 §3]
335.825 [Repealed by 1969 c.585 §3]
335.830 [Repealed by 1969 c.585 §3]
335.835 [Repealed by 1969 c.585 §3]
335.840 [Repealed by 1969 c.585 §3]
335.845 [Amended by 1963 c.544 §43; repealed by 1969 c.585 §3]
335.850 [Repealed by 1969 c.585 §3]
335.905 [Repealed by 1957 c.723 §1 (335.906 enacted in lieu of 335.905)]
335.906 [1957 c.723 §2 (enacted in lieu of 335.905); repealed by 1959 c.641 §38]
335.908 [1957 c.723 §14; repealed by 1959 c.641 §38]
335.910 [Amended by 1957 c.723 §3; repealed by 1959 c.641 §38]
335.915 [Amended by 1957 c.723 §4; repealed by 1959 c.641 §38]
335.920 [Amended by 1957 c.723 §5; repealed by 1959 c.641 §38]
335.925 [Amended by 1957 c.723 §6; repealed by 1959 c.641 §38]
335.930 [Amended by 1957 c.723 §7; repealed by 1959 c.641 §38]
335.935 [Amended by 1957 c.723 §8; repealed by 1959 c.641 §38]
335.938 [1957 c.723 §12; repealed by 1959 c.641 §38]
335.940 [Amended by 1957 c.723 §9; repealed by 1959 c.641 §38]
335.945 [Amended by 1957 c.723 §10; repealed by 1959 c.641 §38]
335.949 [1957 c.723 §13; repealed by 1959 c.641 §38]
335.950 [Repealed by 1957 c.723 §28]
335.962 [1957 c.723 §15; repealed by 1959 c.641 §38]
335.964 [1957 c.723 §16; repealed by 1959 c.641 §38]
335.966 [1957 c.723 §17; repealed by 1959 c.641 §38]
335.968 [1957 c.723 §18; repealed by 1959 c.641 §38]
335.970 [1957 c.723 §19; repealed by 1959 c.641 §38]
335.972 [1957 c.723 §20; repealed by 1959 c.641 §38]
335.974 [1957 c.723 §22; repealed by 1959 c.641 §38]
335.976 [1957 c.723 §21; repealed by 1959 c.641 §38]
335.978 [1957 c.723 §23; repealed by 1959 c.641 §38]
335.980 [1957 c.723 §24; repealed by 1959 c.641 §38]
335.982 [1957 c.723 §25; repealed by 1959 c.641 §38]
335.984 [1957 c.723 §26; repealed by 1959 c.641 §38]
335.986 [1957 c.723 §27; repealed by 1959 c.641 §38]
335.990 [Amended by 1961 c.522 §8; repealed by 1965 c.100 §456]