

loan, such transfer to be repaid when monies shall be available therefor in the fund hereby created.

Passed by the Senate March 6, 1909.

Passed by the House March 10, 1909.

Approved March 13, 1909.

CHAPTER 131.

[S. B. 119.]

AMENDING ACT RELATING TO PARKS.

AN ACT to amend an act entitled "An act authorizing the formation of metropolitan park districts, providing for park officials, fixing their powers and duties, and declaring an emergency," approved March 11th, 1907, and declaring an emergency.

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

SECTION 1. That section two (2) of an act entitled "An act authorizing the formation of metropolitan park districts, providing for park officials, fixing their powers and duties, and declaring an emergency," approved March 11th, 1907, be and the same is hereby amended to read:

[Am'd. § 2.
ch. 98, p. 182,
L. '07.]

Section 2. At any general election, or at any special election which may be called for that purpose, or at any city election held in such city in each of the various voting precincts of such city, the city council may, or on petition of fifteen per cent. of the qualified electors of such city based upon the registration for the last preceding general city election shall, by ordinance, submit to the voters of such city the proposition of creating a metropolitan park district, the limits of which park district shall be co-extensive with the limits of such city as now or hereafter established, inclusive of territory annexed to and forming a part of such incorporated city of the first class, which said territory by virtue of such annexation to any city having theretofore created a park district under this act shall be deemed to be the limits of such metropolitan park district, and the city council shall submit such proposition at the special election to be called therefor when

Election.

Petition.

such petition so requests. In submitting the said question to the voters for their approval or rejection, such city council shall pass an ordinance declaring its intention to submit the proposition of creating a metropolitan park district to the qualified voters of such city, which said ordinance shall be published for at least five days in a daily newspaper published in said city, and said city council shall cause to be placed upon the ballot for such election, at the proper place, the proposition which shall be expressed on said ballot in the following terms:

- "For the formation of a metropolitan park district."
- "Against the formation of a metropolitan park district."

SEC. 2. That section three (3) of said act be and the same is hereby amended to read: Sec. 3. If at such election a majority of the voters voting upon such proposition shall vote in favor of the formation of such park district, the city council shall so declare in its canvass of the returns of such election, and such park district shall then be and become a municipal corporation of the State of Washington, and the name of such metropolitan park district shall be "Metropolitan Park District of _____ (inserting the name of the city constituting the park district)." At the same election at which the proposition is submitted to the voters as to whether a metropolitan park district shall be formed, five (5) park commissioners shall be elected to hold office respectively for the terms of one, two, three, four and five years, and until their respective successors are elected, the term of each nominee for park commissioner to be expressed on the ballot. And thereafter, and at least thirty (30) days prior to the first Tuesday of June in each year, such board of park commissioners shall give notice by publication in at least five issues of a daily newspaper published within said metropolitan park district that an election will be held on the first Tuesday of June thereafter for a park commissioner to hold office for five years and until his successor is elected. Nominations for park commissioners shall be by

Ordinance.

Ballot.

[Am'd. § 3,
ch. 98, p. 183,
L. '07.]

Designation
of district.Commis-
sioners
elected.Notice of
election.

petition of one hundred (100) qualified electors of such park district, to be filed in the office of the city clerk of such city for the first election, and with the clerk of such metropolitan park district for all succeeding elections, such nominations to be so filed at least five (5) days prior to such election: *Provided, however,* That there shall be no election held on the first Tuesday of June immediately following the creation of such park district: *And provided further,* That in the event of a vacancy caused by death, resignation or otherwise, such vacancy shall be filled by appointment by a majority vote of the remaining commissioners until the next regular election for park commissioner. Said board of metropolitan park commissioners shall designate in their notice of election whether such election be a general or special election, the time of opening and closing the polls and the places for voting, but in no event shall there be less than one voting place in each of the various wards of such city, and at least one voting place in any outlying district annexed to such park district and not within the city. The polls shall be kept open at every election held by said park district at least from one o'clock p. m. to seven o'clock p. m., but said park commissioners may keep the polls open for a longer period of time if they shall so order, but the time of opening and closing the polls must be stated in the notice of election, and the polls shall be opened and closed in accordance with such notice. Any person residing in said park district who is, at the time of holding of any such election, a qualified voter under the laws of the State of Washington, shall be entitled to vote at any election held in such metropolitan park district. The officers of the city or county having charge of the registration books shall deliver the same to the park commissioners for the use of the election officers at any election held in a metropolitan park district formed under and in accordance with the provisions of this act. And the registration of voters for elections to be held in such metropolitan park district shall be conducted by the city clerk and officers of registration of the city and

Nominations.

Vacancies.

Polls.

Registration
according to
§ 2, ch. 118,
p. 217, L. '07.

territory embraced within said metropolitan park district; and the notice prescribed to be given by section two (2) of an act relating to the registration of voters, approved March 11th, 1907, and being section two (2) of chapter one hundred and eighteen (118) of the Laws of 1907, shall constitute sufficient notice to citizens residing within said metropolitan park district for registration for any general or special election therein, without the necessity for such notice specially stating that it is for registration for an election to be held by a metropolitan park district. And any elector who shall have registered in accordance with the laws of this state entitling him to vote at a general or special election in the city or territory comprised within such metropolitan park district within time to constitute same a good registration for any general or special election of said metropolitan park district shall be entitled to vote thereat without further or other registration. The clerk of such metropolitan park district shall give notice of the closing of the poll books for registration for any general or special election of such park district, by a notice published at least ten (10) days preceding such closing, such published notice to have at least two (2) insertions in a newspaper of general circulation in such park district. And such poll books shall be closed for the purpose of registration of voters for any general or special park district election five (5) days preceding such election, and such published notice shall so declare: *Provided, however,* That said poll books shall not thereby be deemed closed for general, county or city municipal elections, but closed only for general or special metropolitan park district elections. The city clerk or registration officer required to perform the duties enumerated under this act shall receive no additional compensation therefor. The general laws of the State of Washington governing the registration of voters for general or special city municipal elections, when not inconsistent with the foregoing provisions, shall govern the registration of voters for elections held under this act, and the registration books of the city and territory comprising said park dis-

General laws
govern.

trict shall be the books used by said park district, and no separate registration books shall be kept or maintained by it. That the manner of holding any general or special election for said metropolitan park district shall be in accordance with the laws of this state, and the charter provisions of the city within which said park district lies, in so far as the same are not inconsistent with the provisions of this act.

SEC. 3. That section nine (9) of said act be and the same is hereby amended to read: Sec. 9. Said bonds shall be in denominations of not less than \$100.00 nor more than \$1,000.00. They shall bear the date of issue, shall be made payable to the bearer, in not more than twenty (20) years from date of issue, and bear interest at a rate not exceeding five (5) per cent per annum, payable annually, with coupons attached, for each interest payment. The bonds and each coupon shall be signed by the presiding officer of the board of park commissioners and shall be attested by the clerk of said board, who shall be a member thereof. Said bonds shall be printed, engraved, or lithographed on good bond paper, and the bond shall state on its face that it is issued in accordance, and in strict compliance with an act of the legislature of the State of Washington, entitled: "An act authorizing the formation of metropolitan park districts, providing for park officials, fixing their powers and duties, and declaring an emergency," approved March 11th, 1907, and the act amendatory thereof approved on the — day of —, 1909 (inserting the date of the approval of this act.) Said bonds shall be payable as therein designated in any city of the United States having a national bank.

[Am'd. § 9,
ch. 98, p. 187,
L. '07.]

Bonds, de-
nomination.

SEC. 4. That section ten (10) of said act be and the same is hereby amended to read: Sec. 10. Said commissioners shall include in their general tax levy for each year a sufficient sum to pay the interest on all outstanding bonds, and may include a sufficient amount to create a sinking fund for the redemption of such bonds. Said bonds shall be numbered from one (1) up consecutively,

[Am'd. § 10,
ch. 98, p. 187,
L. '07.]

Tax levy.

and shall be payable in the order of their number beginning with bond numbered one (1).

[Am'd. § 15,
ch. 98, p. 188,
L. '07.]

Special
assessments.

SEC. 5. That section fifteen (15) of said act be and the same is hereby amended to read: Sec. 15. If at any time any proposed improvement of any parkway, avenue, street, or boulevard shall be deemed by said park commissioners to be a special benefit to the lands adjoining, contiguous, approximate to or in the neighborhood of such proposed improvement, if such lands be within the corporate limits of any city of the first class, such board of park commissioners may so declare and order, designating the property to be benefited thereby, and thereupon they may petition the city council of such city to cause such improvement as said commissioners may direct to be done and made on the local assessment plan, and the portion of the cost of such improvement as fixed by such assessment roll assessed against the said property so benefited in the same manner and under the same procedure as is now, or may hereafter be, enacted for local improvements by cities of the first class, in so far as such procedure is not inconsistent with the provisions of this act, and the remainder of the cost of such improvement to be paid out of any funds of such metropolitan park district in its possession or under its control. Said board of park commissioners shall designate the kind, manner and style of the improvement so to be made, and may designate the time within which same shall be made.

Emergency.

SEC. 6. An emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage and approval.

Passed by the Senate March 2, 1909.

Passed by the House March 9, 1909.

Approved March 13, 1909.