

and shall be levied and collected in the manner provided for the levy and collection of such costs.

Emergency.

SEC. 15. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately.

Passed the Senate February 24, 1917.

Passed the House March 5, 1917.

Approved by the Governor March 15, 1917.

CHAPTER 132.

[S. B. 226.]

DRAINAGE IMPROVEMENT DISTRICT REFUNDING BONDS AND REASSESSMENTS.

AN ACT relating to drainage improvement districts, providing for the issuing of bonds thereby in certain cases to retire outstanding bonds and warrants and for the reassessment of costs incurred in the construction of improvements therein.

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

Refunding
bonds for
drainage
improvement
districts.

SECTION 1. Whenever in any drainage improvement district a drainage system has been constructed pursuant to the provisions of chapter 66 of the Laws of 1901, and the costs of construction thereof have been paid entirely by the issuance of warrants, or partly by the issuance of bonds of the district pursuant to the provisions of chapter 176 of the Laws of 1913, and partly by the issuance of warrants, refunding bonds of the district may be issued to procure funds with which to pay such outstanding bonds and warrants or to exchange for such outstanding bonds and warrants, as herein provided.

Issuance and
mode of
payment.

SEC. 2. The board of county commissioners shall determine in the manner provided by section 4226-17 of Rem. & Bal. Code the term for which bonds shall be issued and the installments in which the assessments shall be paid, and shall determine the total amount of all such outstanding bonds and warrants, including any warrants

issued for any costs of construction which for any reason may not have been included in the costs apportioned and assessed against the lands of the district either in the original apportionment and assessment or in any attempted supplemental apportionment and assessment; and they shall add thereto a reasonable sum, not to exceed five per cent of the total amount of all such outstanding bonds and warrants, to cover the costs of the proceedings and the issuance of the refunding bonds. With the advice and assistance of the county engineer, the county commissioners shall apportion the aggregate amount against the lands of the district in the following manner: (1) All unpaid assessments or any part thereof, legally levied in the original apportionment and assessments for costs of construction, shall be apportioned against the counties, cities, lands and other property against which they were theretofore assessed; (2) All costs of construction omitted for any cause from the original apportionment and assessment, and all costs not legally assessed in the original apportionment and assessment shall be apportioned to the lands and other property of the district and to the counties, cities and towns benefited thereby in proportion to the benefits derived from the drainage system of the district. Thereupon the county commissioners shall prepare a reassessment roll, showing the total amounts so apportioned and reapportioned, and giving proper credit for all payments theretofore made on assessments for costs not legally assessed in the original proceedings or in any attempted supplemental proceedings.

Determina-
tion of
outstanding
indebtedness.

Apportion-
ment.

Reassess-
ment roll.

SEC. 3. Upon the completion of the reassessment roll, the board of county commissioners shall fix a day for a hearing thereon, which hearing may be either at the commissioners' office or at some place in the district; and shall cause notice thereof to be given in the manner provided for the giving of notice of a hearing on a schedule of apportionment in drainage improvement districts. Such notice shall describe the boundaries of the district and the sections and lesser subdivisions of land contained

Notice of
hearing.

therein, and shall state that the reassessment roll of said drainage improvement district is on file in the office of the clerk of the board of county commissioners and open to public inspection; and that at or prior to the hearing, any person interested may file written objections to the amount of said reassessment roll or any item thereof. At the hearing, the board may equalize and apportion according to the benefits received therefrom, all costs apportioned in the original or any supplemental proceedings which they may find to have been illegally apportioned and assessed and all costs which were not apportioned and assessed either in the original or in any attempted supplemental proceedings, but they shall not change the apportionment and assessment of any costs which they shall find to have been legally made in the original proceedings. Upon the completion of the equalization and apportionment of the reassessment roll the board shall enter an order approving the same, and shall levy the assessments therein contained against the lands and the property and against the cities, towns and counties therein described, and shall turn the roll over to the treasurer for collection in accordance with the resolution of the board of county commissioners fixing the method of payment of the assessments therein contained.

Equalization
of roll.

Levy of
assessments.

Collection of
assessments.

Law
governing
procedure.

SEC. 4. Thereupon the treasurer shall give notice that the roll is in his hands and that assessments may be paid thereon, as provided for similar notice in drainage improvement districts; and all the provisions of chapter 176 of the Laws of 1913, and acts amendatory thereof, shall govern the adoption, extension and transmission of the reassessment roll, and the collection of the assessments therein contained, and the form, denomination, and manner of issuance and manner of payment of the refunding bonds, and shall also govern all other matters and procedure herein provided for, so far as the same shall be applicable: *Provided*, That the additional sum required by section 1 of this act to be levied to cover the cost of the reassessment and other expenses, shall not be

collected on any assessments paid in full before the issuance of refunding bonds.

SEC. 5. After the expiration of thirty days from the first publication of the notice given by the treasurer, that the assessment roll is in his hands for collection, the county commissioners may issue and sell refunding bonds of the district, as determined by them in their resolution, to the amount of the total assessments remaining unpaid upon the reassessment roll at the expiration of the thirty days above mentioned; or they may issue and exchange such refunding bonds at par value for any bonds or warrants outstanding against the district.

Sale of
refunding
bonds.

Exchange for
warrants and
other bonds.

SEC. 6. The proceeds of the sale of any refunding bonds and of all payments of assessments levied in the original assessment roll or in any attempted supplemental roll, or in the reassessment roll, within the thirty day period above mentioned, and any balance remaining in the fund for the payment of the outstanding bonds and warrants of the district, after such bonds and warrants shall have been paid, shall be paid into a fund to be designated the "Refunding Bond Redemption Fund," and shall be applied: (1) To the payment of the interest on all outstanding refunding bonds, and (2) to the payment of the principal of such bonds in the order of their issuance.

Refunding
bond re-
demption
fund.

SEC. 7. Upon the entry of the order confirming the reassessment roll, and the levy of the assessments contained therein, the reassessment roll herein provided for shall govern the collection of all assessments against the lands of the district. No assessments for maintenance levied against the lands of the district shall be affected by the reassessment herein provided for, but such assessments shall be collected as if no reassessment proceedings had been had.

Reassess-
ment not to
affect prior
maintenance
levies.

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