

of creates a vested interest and a contract binding upon the county and the lessee.

[R.C.W. 36.34.140 was derived from R.R.S., § 4019 and R.R.S., § 4024 (part).]

Emergency.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House September 1, 1951.

Passed the Senate September 1, 1951.

Approved by the Governor September 6, 1951.

CHAPTER 15.

[S. B. 1.]

IRRIGATION DISTRICTS—INCLUSION OF STATE LANDS—ASSESSMENTS.

AN ACT relating to irrigation districts, and to the levy and collection of assessments; amending section 87.01.060, R.C.W.

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

Amendment.

SECTION 1. Section 87.01.060, R.C.W., being section 1, chapter 212, Laws of 1951, is amended to read as follows:

Inclusion of
state lands.

Whenever public lands of the state are situated in or taken into an irrigation district they shall be treated the same as other lands, except as hereinafter provided. The commissioner of public lands shall be served with a copy of the petition proposing to include such lands, together with a map of the district and notice of the time and place of hearing thereon, at least thirty days before the hearing, and if he determines that such lands will be benefited by being included in the district he shall give his consent thereto in writing. If he determines that they will not be benefited he shall file with the board a statement of his objections thereto.

Any public lands of the state which are situated within the boundaries of an irrigation district, but which were not included in the district at the time of its organization, may be included after a hearing as herein provided.

Whenever the commissioner or any interested person desires to have state public lands included in an existing district, he shall file a request to that effect in writing with the district board, which shall thereupon fix a time and place for hearing the request and post notice thereof in three public conspicuous places in the district, one of which shall be at the place of hearing, at least twenty days before the hearing, and send by registered mail a copy of the notice to the commissioner. The notice shall describe the lands to be included and direct all persons objecting to such inclusion to appear at the time and place stated and present their objections. At the hearing the district board shall consider all objections and may adjourn to a later date, and by resolution determine the matter, and its determination shall be final: *Provided*, That no such lands shall be included in a district without the written consent of the commissioner of public lands.

Any public lands of the state situated in any irrigation district shall be subject to the provisions of the laws of this state relating to the collection of irrigation district assessments to the same extent and in the same manner in which lands of like character held under private ownership are subject thereto and the state land commissioner, the department of conservation and development or other state department having jurisdiction over the public lands subjected to such irrigation district assessments are hereby authorized to make payment of such irriga-

Assessments,
payment by
state.

tion district assessments at the time they become due.

[Formerly R.R.S. 7419.]

Passed by the Senate August 28, 1951.

Passed by the House August 30, 1951.

Approved by the Governor September 6, 1951.

CHAPTER 16.

[S. B. 6.]

REAL ESTATE EXCISE TAX—PAYMENTS TO COUNTIES FROM THE STATE SCHOOL EQUALIZATION FUND.

AN ACT relating to the support of common schools; authorizing certain payments to counties from the state school equalization fund; amending section 28.45.110, R.C.W.; and declaring an emergency.

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

Amendment.

SECTION 1. Section 28.45.110, R.C.W., being section 3, chapter 11, Laws of 1951, First Ex. Sess., is amended to read as follows:

Deficit payments to counties.

If the excise tax herein authorized shall be levied in any county for a period of twelve or any lesser number of months and it shall appear upon the first day of May of any year that such tax has not produced seventeen cents per day's attendance credit or such proportion thereof as such lesser number of months, or major fraction thereof, during which the tax was levied, bears to twelve, the deficit shall be certified by the board of county commissioners to the state superintendent of public instruction as a charge against the state school equalization fund for the schools of such county. The sum so certified shall be paid to the county treasurer from the state school equalization fund and allotted to the school districts in the same manner as other money is distributed from the county school fund: *Provided*, That whenever in the judgment of the county superintendent

Estimate of deficit.