

CHAPTER XX.

[H. B. No. 162.]

FEES OF OFFICERS OF ELECTION.

AN ACT to amend section 446, chapter 7, title 8, volume 1 of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill, relating to elections.

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

SECTION 1. Section 446, chapter 7, title 8, volume 1 of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill, relating to elections, is amended so as to read as follows: The fees of officers of election shall be as follows: To the inspectors, judges and clerks of an election, three dollars (\$3.00) per day; the person carrying the returns to the county auditor shall be entitled to ten cents (\$0.10) per mile for each mile traveled.

Passed the house February 14, 1895.

Passed the senate February 27, 1895.

Approved March 2, 1895.

CHAPTER XXI.

[H. B. No. 133.]

RELATING TO THE INDEBTEDNESS OF SCHOOL DISTRICTS.

AN ACT relating to the indebtedness of school districts, providing means and methods for paying and funding the same, and means for validating the same or any part thereof incurred in excess of the one and one-half per centum of the taxable property of the school district, without the assent of three-fifths of the voters of the school district voting at an election held for that purpose, and declaring that an emergency exists for the taking effect of this act on its passage and approval by the governor.

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

SECTION 1. Any school district may validate and ratify the indebtedness of such school district, incurred for strictly school district purposes, when the same does not

Indebtedness
not to exceed
5 per centum
of valuation.

exceed five per centum on the value of the taxable property in such school district. The value of the taxable property in such school district to be ascertained as provided in article eight, section six of the constitution of the State of Washington.

SEC. 2. Whenever the board of directors or board of education, as the case may be, of any school district shall deem it advisable to validate and ratify the indebtedness mentioned in section one of this act, they shall provide therefor by resolution, which shall be entered on the records of such school district, which resolution shall provide for the holding of an election for the purpose of submitting the question of validating and ratifying the indebtedness so incurred to the voters of such school district for approval or disapproval, and if at such election three-fifths of the voters in such school district voting at such election shall vote in favor of the validation and ratification of such indebtedness, then such indebtedness so validated and ratified, and every part thereof existing at the time of the adoption of said resolution shall thereby become and is hereby declared to be validated and ratified, and a binding obligation upon such school district when the only ground of the previous invalidity of such indebtedness so ratified and validated is that at the time of the attempted incurring thereof, the same, together with all other then existing indebtedness of such school district, exceeded one and one-half per centum of the taxable property in such school district, as provided in article eight, section six of the constitution of the State of Washington, and that such indebtedness was so attempted to be incurred without the assent of three-fifths of the voters of such school district voting at an election held for that purpose, as required by said constitution.

SEC. 3. At the time of the adoption of the resolution provided for in section two of this act, the board of directors or board of education, as the case may be, of such district, shall determine the number and location of the places at which polls shall be opened to receive the votes of the voters in such district. Unless otherwise provided, the polls shall be open at one o'clock in the afternoon and

Ratifying and validating indebtedness.

Location of voting polls, and fixing time for voting.

close at four o'clock in the afternoon of the same day, but such board may determine on a longer time during which the polls shall be kept open, not before one o'clock in the afternoon and not later than eight o'clock in the afternoon of the same day. In incorporated cities and towns the polls shall open at one o'clock in the afternoon and close at eight o'clock in the afternoon of the same day. Such board shall appoint two voters in such district where the election is to be held to act as judges of such election, and also one and not more than two persons to act as clerks at each voting place. Such clerks shall keep a list of the voters voting at such election, and tally the result under direction of the judges. The judges shall observe and cause to be observed at such election, as far as the same shall apply, the election laws of this state governing the election of school directors. Should any of the judges so appointed be absent at the opening of the polls, the voters of such district present shall appoint a voter to act in place of such absent judge. If the clerk or clerks of such election be absent at the opening of the polls the judges conducting such election shall appoint one and not exceeding two persons to act as clerks of such election. The judges and clerks of such election shall each take and subscribe an oath to faithfully perform the duties imposed upon them by law in conducting such election, and each of said judges shall have power to administer all oaths required by this section, each to the other, and to the clerks, and to all persons offering to vote, when challenges are interposed. The clerks or secretaries of such school district, or any officer authorized by law to administer oaths, may administer the oath required to be taken by such judges and clerks. If there is not sufficient number of voters present at the hour named for opening the polls to fill vacancies, occasioned by the absence of judges or clerks, it shall be lawful to open the polls as soon thereafter as a sufficient number of electors are present. Elections hereunder shall be by ballot. The ballots must contain the words "For validating and ratifying indebtedness, Yes," or the words "For validating and ratifying indebtedness, No." Ballots containing the words "For

Officers of election.

Oaths administered, by whom.

Ballots to contain, what.

validating and ratifying indebtedness, Yes," shall be counted in favor of validating and ratifying such indebtedness, and ballots containing the words "For validating and ratifying indebtedness, No," shall be counted against validating and ratifying such indebtedness. As soon as the polls are closed at such election, the judges of each polling place shall count the votes, ascertain the result and certify the same, and make return thereof, within two days after such election, to the board of directors, or the board of education, as the case may be, of such district, by depositing the same, together with the ballots cast at such election, with the clerk or secretary of such board, and within five days after such election, or as soon as all the returns of such election are deposited as herein provided, the board of directors, or board of education, of such district shall meet and canvas and declare the result, and shall cause to be entered a minute thereof on the records of such district. The qualifications of voters at such election shall be the same as prescribed for the election of school officers in the act entitled "An act to establish a general uniform system of common schools in the State of Washington, and declaring an emergency," approved March 27, 1890, and all acts amendatory thereof, or substituted therefor.

Votes counted and return thereof.

Records to show result of ballot.

Qualification of voters.

SEC. 4. At the time of the adoption of the resolution provided in section two of this act, the board of directors or board of education, as the case may be, shall direct the clerk or secretary of the board to give public notice of the time, places and purposes of such election. Such clerk or secretary shall thereupon cause written or printed notices to be posted in at least five places in such school district, at least twenty days before such election. Said notices shall also be published for the same length of time in a daily newspaper printed and published in such district, and if there be no such daily newspaper, then in a weekly newspaper, published in this state and of general circulation in the county where such school district is situated, in two regular issues of such weekly newspaper next preceding the day of such election. Said notices shall contain a copy of the resolution mentioned in section two of this act, the time of holding such election and location of polling places,

Notices of election, how given.

a statement of the object of the election, and the form of the ballot adopted by the board to determine the question submitted to the voters.

SEC. 5. If the indebtedness of such school district is validated and ratified, as provided in section two of this act, by three-fifths of the voters voting at such election, the board of directors or board of education, as the case may be, of such school district, without any further vote, may borrow money and issue negotiable coupon bonds therefor to an amount not to exceed the unpaid indebtedness of such school district existing at the time of the adoption of the resolution mentioned in section two of this act, deducting from the amount of such unpaid indebtedness the amount of all indebtedness evidenced by negotiable coupon bonds then outstanding against and payable by such district. Bonds so issued shall bear a rate of interest not to exceed six per cent. per annum, interest payable semi-annually, payable and redeemable at such time and place as designated in the bonds, but not exceeding twenty years from date of issue. The bonds and coupons shall be in such form as the board of directors or the board of education, as the case may be, shall prescribe, and payable at such place as may be designated therein. In all school districts, except in cities of ten thousand or more inhabitants, said bonds with the coupons must be signed by the board of directors and countersigned by the clerk of the school district. In school districts in cities of ten thousand or more inhabitants, said bonds with the coupons must be signed in the corporate name of the district by the president of the board of education thereof, and attested by the secretary of the board. The seal of said district, if such district has a seal, shall be affixed to each bond by the secretary thereof. The moneys arising from the sale of coupon bonds issued under this act, shall be placed by the treasurer of the county in a special fund to the credit of such school district, and out of such fund shall be paid the indebtedness of such district existing at the time of the adoption of the resolution mentioned in section two of this act, not evidenced by negotiable coupon bonds.

May issue bonds.

Interest not to exceed 6 per cent.

Bonds, how signed.

Seal to be affixed.

Indebtedness, how paid.

SEC. 6. When authorized and empowered to issue bonds,

as provided in section five of this act, the board of directors, or the board of education, as the case may be, of such district shall, at a meeting of such board, determine by resolution the amount of bonds to be issued, not exceeding, however, the unpaid indebtedness of such district after deducting the bonded indebtedness existing at the time of the adoption of the resolution mentioned in section two of this act, and shall deliver a copy of said resolution to the county treasurer of the county in which such school district is situated, who shall immediately advertise for sale said bonds, and the provisions of sections three, four, five, six, seven, eight, nine, ten and eleven of an act entitled "An act allowing school districts to borrow money and issue bonds for the building and furnishing of school houses, to permit the funding of school district bonds heretofore or hereafter to be issued, legalizing the same, and declaring an emergency," approved March 19, 1890, shall govern, control and apply to bonds issued or sold under this act, except that bonds issued under this act shall not bear a greater rate of interest than six per cent. per annum, and they may be sold in such amounts or blocks as the board of directors or board of education may direct, and such board may also require all persons bidding for said bonds, except the State of Washington, to deposit one per cent. of the par value of the bonds bid for on depositing with the treasurer their bids, and if the bidder fails to take and pay for the bonds for which he bid, in case of their sale to him, the amount so deposited shall be forfeited to the school district, otherwise to be returned to such bidder, and a re-sale of such bonds so refused to be taken may be made as if the bid for the same had been rejected, and the money arising from the sale of bonds issued under this act shall be applied as provided in section five of this act.

Bonds, amount of determined.

County treasurer to advertise for sale of bonds.

Interest not to exceed 6 per cent.

Deposit required of bidders.

SEC. 7. If bonds issued under this act are not sold as herein provided, the holders of unpaid warrants drawn on the county treasurer by such district for an indebtedness existing at the time of the adoption of the resolution mentioned in section two of this act may exchange said warrants at the face value thereof and accrued interest thereon for coupon bonds issued under this act, at not less than

Warrants exchanged for bonds, when.

par value and accrued interest of such bonds at the time of the exchange; such exchange to be made under such regulations as may be provided by the board of directors, or the board of education, as the case may be, of such district.

County treasurer to be notified of resolution of board.

SEC. 8. When the board of directors or the board of education, as the case may be, has adopted the resolution mentioned in section two of this act, it shall immediately cause notice of the adoption of such resolution to be given to the county treasurer of the county in which such district is situated, and all moneys then or thereafter in the hands of such treasurer belonging to such district, arising from the annual tax levy or from fines or other sources for the support and maintenance of common schools in such district, shall be applied only to the payment of interest on the bonded indebtedness and to the current expenses of such school district incurred after the adoption of the resolution mentioned in section two of this act, and shall not be used for, or applied to, the payment of any indebtedness of such district existing before the adoption of said resolution, except interest on the bonded indebtedness. The annual expenses of such district shall not hereafter exceed the annual revenue thereof, and any officer of such district who shall knowingly aid in increasing the annual expenditure in excess of the annual revenue of such district, shall be deemed to be guilty of a misdemeanor, and shall be punished by a fine of not exceeding five hundred dollars. If the indebtedness of such school district, excluding the bonded indebtedness existing before the adoption of said resolution, is not extinguished by the exchange of warrants for bonds, or by the proceeds of the sale of bonds, as herein provided, then it shall be the duty of the board of directors or the board of education, as the case may be, thirty days before the regular annual tax levy, to certify the amount of such indebtedness remaining unpaid to the board of county commissioners of the county in which such school district is situated, and said board of county commissioners, at the time of making the regular annual tax levy, shall annually levy a special tax on the taxable property of the district of not to exceed three mills on the dollar on the valuation on such taxable property, which

Taxes and fines to apply to subsequent indebtedness.

Expenses not to exceed annual revenue; increasing same a misdemeanor.

Indebtedness certified, when.

shall be collected as other taxes are collected, and the proceeds of such tax shall be a special fund for the payment of the indebtedness of such district, not included in bonds, existing at the time of the adoption of the resolution mentioned in section two of this act.

SEC. 9. Whereas, there are many school districts in this state which are desirous of providing means and methods of paying and funding their indebtedness, and means for validating the same, or any part thereof, incurred in excess of one and one-half per centum of the taxable property of such districts without the assent of three-fifths of the voters of such districts voting at an election held for that purpose, and inasmuch as there are no statutes sufficiently governing the matters provided for in this act: therefore, an emergency exists, and this act shall take effect and become a law from and after its passage and approval by the governor.

Passed the house February 19, 1895.

Passed the senate February 25, 1895.

Approved March 1, 1895.

CHAPTER XXII.

[H. B. No. 91.]

FOR THE PROTECTION OF KNOT SAWYERS.

AN ACT for the purpose of protecting knot sawyers in shingle mills, and requiring owners and operators of shingle mills to protect knot saws with metallic saw guards, imposing penalties for failure so to do, and declaring the law of negligence in cases where any person is injured by any knot saw not protected by metallic saw guard.

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

SECTION 1. That it shall be unlawful for any person or persons or corporation owning or operating any shingle mill or shingle mills in the State of Washington to operate or permit the operation of such shingle mill or shingle

Knot saws
protected,
how.