

relative's, or friend's child or children with or without monetary consideration where the person does not regularly engage in such activity or where parents on a mutually cooperative basis exchange care of one another's children. It shall not include any agency operated by another state department or governmental agency, or by a church organization.

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

Passed the House March 9, 1955.

Passed the Senate March 8, 1955.

Approved by the Governor March 21, 1955.

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## CHAPTER 367.

[ H. B. 444. ]

### IRRIGATION DISTRICTS.

AN ACT relating to irrigation districts and adding four new sections to chapter 87.08 RCW.

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

SECTION 1. There is added to chapter 87.08 RCW, New sections. four new sections to read as set out in sections 2 through 5 of this act.

SEC. 2. When an irrigation district desires to connect its system of drainage with that of a lower drainage district or districts, it shall make the lower district or districts a party to the proceedings to construct its system, and allege in its petition that the connection is needed to afford a proper outlet and that the outlet is sufficient for both districts. If the lower system or systems must be improved to support the additional burden, the petition shall be ac- System of drainage connection. Party to proceedings.

Parties to the action. Assessment.

companied by plans and specifications therefor. The owners of all lands in the lower district or districts affected thereby and also persons having an interest therein shall be made parties to the action and assessment for damages shall be the same as is provided by law for the establishment of the drainage system in the irrigation district.

## Findings.

SEC. 3. The jury, or the court if jury be waived, shall first determine whether the lower drainage system or systems when so improved will afford a sufficient drainage and outlet for both the drainage district and irrigation district, and if it finds that it will not, the finding shall terminate the proceedings so far as the connecting with the lower drainage district or districts is concerned and the costs shall be paid as in other suits: *Provided*, That the irrigation district may maintain said suit for the purpose of acquiring the necessary rights of way from the lower drainage district or districts and the landowners in said lower district or districts that will not interfere with the operation and maintenance of the drainage system in the lower district or districts.

## Costs.

## Rights of way acquired.

## Assessment of damages.

SEC. 4. If the jury, or the court if jury be waived, finds the outlet and drainage sufficient it shall assess the damages sustained by the lands in the lower drainage district or districts by reason of the improvement, together with awards for damaging and taking lands for rights of way required, which shall be paid by the irrigation district in the same manner as such payments are made in establishing the system in the irrigation district, and the cost of improving the lower system or systems to the extent the improvement benefits lands in the irrigation district shall be assessed to the lands in the irrigation district as other costs of drainage improvement are assessed.

SEC. 5. The lower district or districts may require the jury or court to determine any increased cost to it in annual maintenance of its system as improved, and judgment shall be rendered against the irrigation district in favor of the lower drainage district or districts for any amount so found, and it shall be paid annually as the cost of construction is paid, and the amount so paid shall be used by the lower drainage district or districts for maintenance.

Increased  
maintenance  
cost.

Passed the House February 19, 1955.

Passed the Senate March 8, 1955.

Approved by the Governor March 21, 1955.

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## CHAPTER 368.

[ H. B. 462. ]

### AGRICULTURE AND SOIL CONSERVATION.

AN ACT relating to agriculture and soil conservation.

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

SECTION 1. The director of agriculture is hereby authorized to enter into agreements with local, state and federal agencies, agencies of other states and associations of agricultural producers, such as, but not limited to the crop improvement association, for the growing and/or testing of plant materials and other types of plant vegetation having value for soil conservation and proper land use for agriculture on such property or properties known as the northwest Washington nursery located near Bellingham, Washington. Such agreements shall provide for payment of reasonable fees to cover the cost of such growing and/or testing of plant materials and other types of plant vegetation having value for soil conservation and proper land use for agriculture.

Authorization  
to director of  
agriculture.