

10% of party
votes re-
quired.

Vacancy,
how filled.

Filing fees.

Sworn
statement.

of the total number of the party ballots of his party cast at the primary election in the district in which he is a candidate. In case no candidate shall have filed for any office, the state central committee of the party, if the vacancy shall be for a state office, and the county central committee, if it be for a county office, may select and certify a candidate to fill such vacancy: *Provided, however,* That the name of such candidate shall not be printed upon the ballot unless, within thirty (30) days after such primary election, such candidate shall pay to the officer to whom such candidate's fees are payable, as provided in section 5182 of Remington's Compiled Statutes, the fees required to be paid to become a candidate for such office, together with a sworn statement stating his place of residence and that he possesses the necessary legal qualifications for such office.

Passed the Senate January 24, 1933.

Passed the House February 15, 1933.

Approved by the Governor February 18, 1933.

CHAPTER 22.

[S. B. 81.]

DRAINAGE AND DIKING DISTRICT BONDS.

AN ACT relating to drainage and diking improvement districts, and the issuance of refunding bonds therein, and amending sections 1, 2, 5, 6, 7, 8, and 9 of chapter 211 of the Laws of Washington of 1929, adding thereto a new section to be known as section 10, and declaring that this act shall take effect immediately.

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

Amends § 1,
ch. 211, Laws
of 1929.

SECTION 1. That section 1 of chapter 211 of the Laws of Washington of 1929 be amended to read as follows:

Section 1. Whenever any bonds and/or warrants of any diking or drainage improvement district of

this state shall become payable or be outstanding and the board or boards of county commissioners of the county or counties wherein such district lies shall determine that it will be for the best interests of the owners of the lands included in such district to issue refunding bonds and to levy an assessment to meet such obligations, they may levy such assessment and fix the time for the payment thereof and fix the installments in which such assessment shall be paid; and they may issue refunding bonds of the district in the manner hereinafter provided, to provide funds with which to pay such outstanding bonds and/or warrants.

County Commissioners.

Assessment.

Refunding bonds.

Such refunding bonds (except in case the refunding loan shall be from the United States) shall be payable in such series and at such time or times over a period not exceeding twenty-five years as the board of county commissioners shall determine; they shall bear interest payable semi-annually on January first and July first of each year at such rate as the said board of county commissioners shall determine; and all bonds shall be payable at any interest paying date on or before the due date thereof.

Bonds, how payable.

Interest.

The assessment to support such refunding bonds shall become due in annual installments over a period not exceeding twenty-five years in amounts and installments adequate to retire the bonds as they fall due, as may be fixed by the board of county commissioners, and shall bear the same rate of interest as the said bonds; and any and all assessments may be paid at any time, with interest to next interest paying date.

Assessment levy, how payable.

Interest.

If such refunding bonds are to be deposited with, and the refunding loan to be procured from, the United States, pursuant to any act of the congress of the United States, the assessment to support said refunding bonds may be spread over such period of years, and shall become due in such installments,

United States, provision for loan from.

Interest.

and bear such interest as shall be required by the proper official of the United States or by said act of congress; and the bonds shall be payable in such series, and at such times, and shall bear such rate of interest as may be prescribed by such official of the United States or by such act of congress. The board of county commissioners shall have power to contract for the sale of said bonds to the United States, and to procure a refunding loan from the United States, on such terms and under such regulations, and to levy an assessment to pay said bonds in such installments or series, and over such period, as the proper official of the United States or such act of congress may prescribe; and it shall not in such case be necessary to sell such refunding bonds at public sale.

Terms pre-
scribed by
U. S. official
or Congress.

Exchange of
bonds with-
out sale of,
provision for.

In case no sale of such refunding bonds can in the judgment of the board of county commissioners be made on more advantageous terms, the county commissioners may exchange such refunding bonds of the district at not less than par value and at not more than the rate of interest of the old bonds and/or warrants for an equal or greater amount of the outstanding bonds and/or warrants of said district without offering them at public sale.

Delinquent
assessments.

When any assessment or installments of assessments to meet such refunding bonds, shall be delinquent for a period of two years, certificates of delinquency thereon shall be issued to the county, and foreclosure thereof shall forthwith be effected in the manner provided for such foreclosure of assessments in drainage and diking improvement districts.

Foreclosure.

Ch. 176, Laws
of 1913.

Except as herein otherwise provided, all the provisions of chapter 176 of the Laws of 1913 and acts amendatory thereof including joint action by the boards of commissioners of both counties in case of a district extending into two counties shall apply to and be the law and shall govern the form and man-

District ex-
tending into
2 counties.

ner of sale and issuance and payment of the refunding bonds, the rate of interest they shall bear, the levy of the assessment to support the same, appeals to the courts from actions by the county commissioners, the manner of the collection of said assessments, and all other matters pertaining to the said refunding bonds and the assessment to meet the same, and except as herein otherwise provided, refunding bonds authorized issued and disposed of under the provisions of this act shall entitle the holders and owners thereof to the same rights and privileges, shall constitute a lien on the same property and be paid in the same manner as the original bonds refunded by said bond issue.

Original bond rights good under refund.

SEC. 2. That section 2 of chapter 211 of the Laws of Washington of 1929 be amended to read as follows:

Amends § 2, ch. 211, Laws of 1929.

Section 2. The board of county commissioners shall determine the amount of the assessment necessary to be levied to provide funds to liquidate obligations of the district which are to be refunded including bonds and/or warrants whose holders consent to their payment before they are due, which amount in diking or drainage improvement districts may be less than, but shall not exceed, the total amount of the outstanding assessments not yet cancelled including accumulated interest thereon, in support and for payment of the outstanding bonds and/or warrants which are to be refunded, plus the amount of any outstanding warrants for which no assessment has been levied; in case only a part of the obligations of a diking or drainage improvement district are to be refunded, then such new assessment roll shall not be greater than that proportion of the existing uncanceled assessments, which the bonds and/or warrants to be refunded bear to the total bonds and/or warrants then outstanding and for which assessments have been levied, plus the

Assessment:

Amount of.

Partial refunding.

Amount of assessment.

Apportionment of assessment.

Assessment roll.

Resolution of board.

amount of any warrants which are to be refunded for which no assessment has been levied, and shall cause such assessment to be apportioned to the lands of the district in proportion to the original assessments for the outstanding bonds and/or warrants of the said district still unpaid and not cancelled against the respective lands thereof, including the interest on any delinquent assessments until the estimated date of the re-levy, except that for any outstanding obligations for which no assessment has yet been levied, such apportionment shall be in proportion to the original assessment roll, and shall cause to be prepared an assessment roll showing the assessment thus apportioned against each tract, lot and parcel of land to be assessed and shall file such roll with the clerk of the board. Thereupon the board shall adopt a resolution which shall set forth:

1. A schedule showing the bonds and/or warrants outstanding against the district which they propose to refund, and the assessment necessary to be levied to provide funds for the payment thereof.

2. That the assessment roll for the collection of the assessments proposed to be levied against the lands of the district is on file with the clerk of the board and open to inspection of all persons interested.

3. That the commissioners propose to levy such assessments for collection in installments according to the schedule attached thereto.

4. A schedule showing the installments in which such assessments are to be paid.

5. That the assessments contained in such assessment roll may be paid in full at any time prior to the expiration of thirty days after such assessment roll shall have been turned over to the treasurer for collection and he shall have published a notice to that effect, and that all assessments not so paid shall

thereafter bear interest until due at a rate to be fixed therein.

6. That the county commissioners propose to issue bonds under the provisions of this act, payable in years (to be stated in the resolution), to refund such outstanding bonds and/or warrants.

7. A date which shall be not more than sixty nor less than thirty days from the date of the adoption of such resolution, on which the board of county commissioners will hear any objections offered to the proposed levy and issuance of refunding bonds, or to the assessment roll prepared by the said commissioners.

SEC. 3. That section 5 of chapter 211 of the Laws of Washington of 1929 be amended to read as follows:

Amends § 5, ch. 211, Laws of 1929.

Section 5. As soon as the assessment roll has been turned over to the treasurer for collection, he shall publish a notice in the official newspaper of the county, once a week for at least two successive weeks, that the said roll is in his hands for collection and that any assessments therein or any portion of such assessments may be paid at any time on or before a date stated in such notice, which date shall be thirty days after the date of the first publication, without interest. All assessments levied as provided herein, which shall not be paid within thirty days as herein provided for shall be collected in the manner provided for the collection of assessments levied to pay the costs of construction in drainage or diking improvement districts so far as the same shall be applicable except as otherwise specified in this act.

Notice of assessments due.

Payment.

Collection.

SEC. 4. That section 6 of chapter 211 of the Laws of Washington of 1929 be amended to read as follows:

Amends § 6, ch. 211, Laws of 1929.

Section 6. Upon the expiration of thirty days from the first publication of the notice given by the

Issuance and sale of refund bonds.

treasurer as provided herein, the board of county commissioners may issue and sell (or exchange for outstanding bonds and/or warrants) the refunding bonds of the district, payable as determined by them in their resolution; and all the provisions of law governing the issuance, sale and payment of the bonds of drainage or diking improvement districts shall govern the issuance, sale and payment of the bonds herein provided for, except as otherwise provided in this act.

Amends § 7, ch. 211, Laws of 1929.

SEC. 5. That section 7 of chapter 211 of the Laws of Washington of 1929 be amended to read as follows:

Disposition of proceeds.

Section 7. The proceeds of all assessments paid within the thirty-day period herein provided for, and the proceeds of the sale of all refunding bonds, shall be paid into a proper fund to be established in the county treasury, and shall be applied to the payment of outstanding bonds and/or warrants which are refunded in the manner in which such bonds are required to be paid by the law under which they were issued, and such bonds shall be called and paid accordingly. The proceeds of all payments of assessments paid after the expiration of thirty days from the first publication of the notice given by the treasurer as herein provided, shall be paid into a fund to be established in the county treasury, to be known as the "refunding bonds redemption fund," and shall be applied to the payment of such refunding bonds as provided by chapter 176 of the Laws of 1913, and acts amendatory thereof, for the payment of bonds issued thereunder.

"Refunding bonds redemption fund."

Ch. 176, Laws of 1913.

Amends § 8, ch. 211, Laws of 1929.

SEC. 6. That section 8 of chapter 211 of the Laws of Washington of 1929 be amended to read as follows:

Satisfaction.

Section 8. If all of the old series of bonds or warrants be refunded and cancelled, the assessments to support the same including past due installments

and interest shall be satisfied and cancelled in full. If only part of any outstanding bond issue or warrants be refunded and cancelled the assessments contained in the original assessment roll of the district including past due installments and interest shall be satisfied and cancelled pro rata by the county treasurer to the amount of the old series of bonds and/or warrants that are thus retired, each individual assessment being cancelled to an amount proportionate to the portion of the old bonds and/or warrants thus retired.

Partial satisfaction.

The proceeds arising from the collection of the remainder of the assessments on the original assessment roll of the district shall be applied to the payment of the bonds and/or warrants of the original issue that are not thus retired.

Remaining proceeds.

SEC. 7. That section 9 of chapter 211 of the Laws of Washington of 1929 be amended to read as follows:

Amends § 9, ch. 211, Laws of 1929.

Section 9. The powers and duties of the board of county commissioners to make supplemental assessments or reassessments against the lands of the district to make up deficiencies arising in certain cases, as now provided by law, shall be in no wise curtailed nor enlarged by this act, but shall continue to be in full force and effect after such refunding proceedings shall have been had, to the same extent as if no refunding had been effected: *Provided, however,* That the liability of the lands to such supplemental assessments may, by agreement with the purchasers or holders of the refunding bonds, be reduced or wholly abrogated, in which case such limitation of liability shall be expressed in the bonds.

Power to make supplemental assessments, not effected.

Limitation of liability of lands.

SEC. 8. That chapter 211, Laws of 1929, be further amended by adding thereto a new section to be known as section 10, which reads as follows:

Adds § 10 to ch. 211, Laws of 1929.

Section 10. The adjudication of invalidity of any section, clause or part of a section of this act

Partial invalidity.

shall not impair or otherwise affect the validity of the act as a whole or any other part thereof.

Effective immediately.

SEC. 9. This act is necessary for the immediate support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate January 31, 1933.

Passed the House February 9, 1933.

Approved by the Governor February 18, 1933.

CHAPTER 23.

[S. B. 104.]

DAIRY PRODUCTS.

AN ACT relating to advertising of dairy products, prohibiting false advertising in the sale thereof, and providing penalties for violations thereof.

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

Advertising breed of cattle.

SECTION 1. It shall be unlawful for any person, firm, corporation or association to use in any corporate or firm name of any association, or in any advertisement, trade mark, or brand, the name of any breed of dairy cattle, such as "Jersey", "Guernsey", "Ayrshire", "Holstein", or "Brown Swiss", unless the milk sold, advertised, offered or exposed for sale by such person, firm, corporation or association, shall be produced entirely from the breed cattle so named: *Provided*, That the owner of any herd of cows shall be entitled to the use of such term as "Jersey", "Guernsey", "Ayrshire", "Holstein", or "Brown Swiss" when each cow in said herd shall carry more than fifty per cent (50%) of the blood of the breed of cattle so named.

Each cow over 50 % as advertised.

Use of trade mark.

SEC. 2. Any person, firm, corporation or association desiring to use the name of any breed of dairy