

and correct such assessment roll in accordance with such decision.

Passed the House March 20, 1965.

Passed the Senate March 24, 1965.

Approved by the Governor April 2, 1965.

CHAPTER 40.

[House Bill No. 299.]

SEWER DISTRICTS—LOCAL IMPROVEMENT DISTRICTS —UTILITY LOCAL IMPROVEMENT DISTRICTS.

AN ACT relating to sewer districts; providing that a notice of adoption of certain resolutions relating to local improvement districts and utility local improvement districts shall be published rather than the full text of the resolution; amending section 27, chapter 210, Laws of 1941 as amended by section 17, chapter 250, Laws of 1953 and RCW 56.20-.020; and amending section 32, chapter 210, Laws of 1941 and RCW 56.20.080.

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

SECTION 1. Section 27, chapter 210, Laws of 1941 as amended by section 17, chapter 250, Laws of 1953, and RCW 56.20.020 are each amended to read as follows:

RCW 56.20.020 amended.

Utility local improvement districts to carry out all or any portion of the comprehensive plan, or additions and betterments thereof, adopted for the sewer district may be initiated either by resolution of the board of sewer commissioners or by petition signed by the owners according to the records of the office of the county auditor of at least fifty-one percent of the area of the land within the limits of the utility local improvement district to be created.

Sewer district L.I.D.'s. Petition or resolution to form local district—Notice—Procedure.

In case the board of sewer commissioners shall desire to initiate the formation of a utility local improvement district by resolution, it shall first pass

Sewer district
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Petition or
resolution to
form local
district—
Notice—
Procedure.

a resolution declaring its intention to order such improvement, setting forth the nature and territorial extent of such proposed improvement, designating the number of the proposed utility local improvement district, describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed district, and fixing a date, time and place for a public hearing on the formation of the proposed local district.

In case any such utility local improvement district shall be initiated by petition, such petition shall set forth the nature and territorial extent of such proposed improvement and the fact that the signers thereof are the owners according to the records of the county auditor of at least fifty-one percent of the area of land within the limits of the utility local improvement district to be created. Upon the filing of such petition with the secretary of the board of sewer commissioners, the board shall determine whether the same shall be sufficient, and the board's determination thereof shall be conclusive upon all persons. No person shall withdraw his name from said petition after the filing thereof with the secretary of the board of sewer commissioners. If the board shall find the petition to be sufficient, it shall proceed to adopt a resolution declaring its intention to order the improvement petitioned for, setting forth the nature and territorial extent of said improvement, designating the number of the proposed local district, describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed local district, and fixing a date, time and place for a public hearing on the formation of the proposed local district.

Notice of the adoption of the resolution of intention, whether the resolution was adopted on the initiative of the board or pursuant to a petition of the property owners, shall be published in at least two consecutive issues of a newspaper of general circulation in the proposed local district, the date of the first publication to be at least fifteen days prior to the date fixed by such resolution for hearing before the board of sewer commissioners. Notice of the adoption of the resolution of intention shall also be given each owner or reputed owner of any lot, tract, parcel of land or other property within the proposed improvement district by mailing said notice at least fifteen days before the date fixed for the public hearing to the owner or reputed owner of the property as shown on the tax rolls of the county treasurer at the address shown thereon. The notices shall refer to the resolution of intention and designate the proposed improvement district by number. Said notices shall also set forth the nature of the proposed improvement, the total estimated cost, the proportion of total cost to be borne by assessments, the date, time and place of the hearing before the board of sewer commissioners; and in the case of improvements initiated by resolution, said notice shall also state that all persons desiring to object to the formation of the proposed district must file their written protests with the secretary of the board of sewer commissioners before the time fixed for said public hearing. In the case of the notice given each owner or reputed owner by mail, the notice shall set forth the estimated amount of the cost and expense of such improvement to be borne by the particular lot, tract, parcel of land or other property.

SEC. 2. Section 32, chapter 210, Laws of 1941 and RCW 56.20.080 are each amended to read as follows:

RCW 56.20.080
amended.

Sewer district
L.I.D.'s.
Review.

The decision of the sewer commission upon any objections made within the time and in the manner herein prescribed, may be reviewed by the superior court upon an appeal thereto taken in the following manner. Such appeal shall be made by filing written notice of appeal with the secretary of said sewer commission and with the clerk of the superior court in the county in which such sewer district is situated within ten days after publication of a notice that the resolution confirming such assessment roll has been adopted, and such notice of appeal shall describe the property and set forth the objections of such appellant to such assessment. Within ten days from the filing of such notice of appeal with the clerk of the superior court, the appellant shall file with the clerk of said court, a transcript consisting of the assessment roll and his objections thereto, together with the resolution confirming such assessment roll and the record of the sewer district commission with reference to said assessment, which transcript, upon payment of the necessary fees therefor, shall be furnished by such secretary of said sewer commission and by him certified to contain full, true and correct copies of all matters and proceedings required to be included in such transcript. Such fees shall be the same as the fees payable to the county clerk for the preparation and certification of transcripts on appeal to the supreme court in civil actions. At the time of the filing of the notice of appeal with the clerk of the superior court a sufficient bond in the penal sum of two hundred dollars, with sureties thereon as provided by law for appeals in civil cases, shall be filed conditioned to prosecute such appeal without delay, and if unsuccessful, to pay all costs to which the sewer district is put by reason of such appeal. The court may order the appellant upon application therefor, to execute and file such additional bond or

bonds as the necessity of the case may require. Within three days after such transcript is filed in the superior court, as aforesaid, the appellant shall give written notice to the secretary of such sewer district, that such transcript is filed. Said notice shall state a time, not less than three days from the service thereof, when the appellant will call up the said cause for hearing. The superior court shall, at said time or at such further time as may be fixed by order of the court, hear and determine such appeal without a jury, and such cause shall have preference over all civil causes pending in said court, except proceedings under an act relating to eminent domain in such sewer district and actions of forcible entry and detainer. The judgment of the court shall confirm, correct, modify or annul the assessment insofar as the same affects the property of the appellant. A certified copy of the decision of the court shall be filed with the officer who shall have the custody of the assessment roll, and he shall modify and correct such assessment roll in accordance with such decision. An appeal shall lie to the supreme court from the judgment of the superior court, as in other cases, however, such appeal must be taken within fifteen days after the date of the entry of the judgment of such superior court, and the record and opening brief of the appellant in said cause shall be filed in the supreme court within sixty days after the appeal shall have been taken by notice as provided in this title. The time for filing such record and serving and filing of briefs in this section prescribed may be extended by order of the superior court, or by stipulation of the parties concerned. The supreme court on such appeal may correct, change, modify, confirm or annul the assessment insofar as the same affects the property of the appellant. A certified copy of the order of the supreme court upon such appeal shall be filed with the officer hav-

Sewer district
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Review.

ing custody of such assessment roll, who shall there-
upon modify and correct such assessment roll in
accordance with such decision.

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Passed the Senate March 24, 1965.

Approved by the Governor April 2, 1965.

CHAPTER 41.

[House Bill No. 319.]

INDUSTRIAL INSURANCE—EXCESS FUNDS—
INVESTMENT.

AN ACT relating to industrial insurance and the funds there-
under; and amending section 51.44.100, chapter 23, Laws
of 1961 as amended by section 10, chapter 281, Laws of
1961, and RCW 51.44.100.

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

RCW 51.44.100
amended.

SECTION 1. Section 51.44.100, chapter 23, Laws
of 1961 as amended by section 10, chapter 281, Laws
of 1961, and RCW 51.44.100 are each amended to
read as follows:

Industrial
Insurance
funds.
Investment of
accident,
medical aid,
reserve fund.

Whenever, in the judgment of the state finance
committee, there shall be in the accident fund, med-
ical aid fund, or in the reserve fund, funds in excess
of that amount deemed by such committee to be
sufficient to meet the current expenditures properly
payable therefrom, the committee may invest such
excess funds in national, state, county, municipal,
or school district bonds, and shall exercise the same
discretion and have the same authority with respect
to the investment of such excess funds as is provided
by law with respect to the investment of the state
employees' retirement funds. The committee may, in
addition, invest such excess funds in motor vehicle
fund warrants issued to pay the costs of acquisition
of real property or property rights therein necessary