

participating school districts measured by enrollment, or on any other reasonable basis, and may be paid before, during, or after the receipt of such services or the participation as members of such organizations.

NEW SECTION. Sec. 5. This 1971 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 Senate May 8, 1971.

Passed the House May 7, 1971.

Approved by the Governor May 19, 1971.

Filed in Office of Secretary of State May 20, 1971.

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CHAPTER 94

[Engrossed Senate Bill No. 183]

MECHANICS' AND MATERIALMEN'S LIENS

AN ACT Relating to liens; amending section 1, chapter 24, Laws of 1893 as last amended by section 1, chapter 279, Laws of 1959 and RCW 60.04.010; amending section 3, chapter 24, Laws of 1893 as last amended by section 3, chapter 279, Laws of 1959 and RCW 60.04.040; amending section 5, chapter 24, Laws of 1893 as last amended by section 5, chapter 279, Laws of 1959, and RCW 60.04.060; and declaring an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 5, chapter 24, Laws of 1893 as last amended by section 5, chapter 279, Laws of 1959, and RCW 60.04.060 are each amended to read as follows:

No lien created by this chapter shall exist, and no action to enforce the same shall be maintained, unless within ninety days from the date of the cessation of the performance of such labor, the furnishing of such materials, or the supplying of such equipment, a claim for such lien shall be filed for record as hereinafter provided, in the office of the county auditor of the county in which the property, or some part thereof to be affected thereby, is situated. Such claim shall state, as nearly as may be, the time of the commencement and cessation of performing the labor, furnishing the material, or supplying the equipment, the name of the person who performed the labor, furnished the material, or supplied the equipment, the name of the person by whom the laborer was employed (if known) or to whom the material was furnished, or equipment supplied, a description of the property to be charged with the lien sufficient for identification, the name of the owner, or reputed

owner if known, and if not known, that fact shall be mentioned, the amount for which the lien is claimed, and shall be signed by the claimant, or by some person in his behalf, and be verified by the oath of the claimant, or some person in his behalf, to the effect that the affiant believes the claim to be just; in case the claim shall have been assigned the name of the assignee shall be stated; and such claim of lien may be amended in case of action brought to foreclose the same, by order of the court, as pleadings may be, insofar as the interests of third parties shall not be affected by such amendment. A claim of lien shall also state the address of the claimant. A claim for lien substantially in the following form shall be sufficient:

.....,claimant, vs. ....

Notice is hereby given that on the .....day (date of commencement of performing labor or furnishing material or supplying equipment) .....at the request of.....commenced to perform labor (or to furnish material or supply equipment to be used) upon.....(here describe property subject to the lien) of which property the owner, or reputed owner, is .....(or if the owner or reputed owner is not known, insert the word "unknown"), the performance of which labor (or the furnishing of which material or supply of which equipment) ceased on the .....day of.....; that said labor performed (or material furnished or equipment supplied) was of the value of .....dollars, for which labor (or material) (or equipment) the undersigned claims a lien upon the property herein described for the sum of .....dollars. (In case the claim has been assigned, add the words "and.....is assignee of said claim", or claims, if several are united.)

.....,Claimant.

.....

.....

(Address, city, and state of claimant)

STATE OF WASHINGTON, COUNTY OF.....,ss.

.....,being sworn, says: I am the claimant (or attorney of the claimant) above named; I have heard the foregoing claim read and know the contents thereof, and believe the same to be just.

.....

Subscribed and sworn to before me this.....day of.....

.....

Any number of claimants may join in the same claim for the purpose of filing the same and enforcing their liens, but in such case the amount claimed by each original lienor, respectively, shall be stated: PROVIDED, It shall not be necessary to insert in the

notice of claim of lien provided for by this chapter any itemized statement or bill of particulars of such claim.

Sec. 2. Section 1, chapter 24, Laws of 1893 as last amended by section 1, chapter 279, Laws of 1959 and RCW 60.04.010 are each amended to read as follows:

Every person performing labor upon, furnishing material, or renting, leasing or otherwise supplying equipment, to be used in the construction, alteration or repair of any mining claim, building, wharf, bridge, ditch, dyke, flume, tunnel, well, fence, machinery, railroad, street railway, wagon road, aqueduct to create hydraulic power or any other structure or who performs labor in any mine or mining claim or stone quarry, has a lien upon the same for the labor performed, material furnished, or equipment supplied by each, respectively, whether performed, furnished, or supplied at the instance of the owner of the property subject to the lien or his agent; and every registered or licensed contractor, registered or licensed subcontractor, architect, ((builder)) or person having charge, of the construction, alteration or repair of any property subject to the lien as aforesaid, shall be held to be the agent of the owner for the purposes of the establishment of the lien created by this chapter: PROVIDED, That whenever any railroad company shall contract with any person for the construction of its road, or any part thereof, such railroad company shall take from the person with whom such contract is made a good and sufficient bond, conditioned that such person shall pay all laborers, mechanics, materialmen, and equipment suppliers, and persons who supply such contractors with provisions, all just dues to such person or to any person to whom any part of such work is given, incurred in carrying on such work, which bond shall be filed by such railroad company in the office of the county auditor in each county in which any part of such work is situated. And if any such railroad company shall fail to take such bond, such railroad company shall be liable to the persons herein mentioned to the full extent of all such debts so contracted by such contractor. Contractors or subcontractors required to be registered under chapter 19.27 RCW or licensed under chapter 19.28 RCW shall be deemed the agents of the owner for the purposes of establishing the lien created by this chapter only if so registered or licensed. Persons dealing with contractors or subcontractors may rely, for the purposes of this section, upon a certificate of registration issued pursuant to chapter 18.27 RCW or license issued pursuant to chapter 19.28 RCW covering the period when the work or material shall be furnished, and lien rights shall not be lost by suspension or revocation of registration or license without their knowledge.

Sec. 3. Section 3, chapter 24, Laws of 1893 as last amended by section 3, chapter 279, Laws of 1959 and RCW 60.04.040 are each

amended to read as follows:

Any person who, at the request of the owner of any real property, or his agent, (~~(contractor or subcontractor)~~) clears, grades, fills in or otherwise improves the same, or any street or road in front of, or adjoining the same, and every person who, at the request of the owner of any real property, or his agents, (~~(contractor, or subcontractor)~~) rents, leases, or otherwise supplies equipment, or furnishes materials, including blasting powder, dynamite, caps and fuses, for clearing, grading, filling in, or otherwise improving any real property or any street or road in front of or adjoining the same, has a lien upon such real property for the labor performed, the materials furnished, or the equipment supplied for such purposes.

NEW SECTION. Sec. 4. This 1971 amendatory act shall take effect on January 1, 1972.

Passed the Senate May 8, 1971.

Passed the House May 7, 1971.

Approved by the Governor May 19, 1971.

Filed in Office of Secretary of State May 20, 1971.

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CHAPTER 95

[Substitute Senate Bill No. 85]

CITIES AND TOWNS, WATER OR SEWER DISTRICTS--  
INTERGOVERNMENTAL RELATIONSHIPS

AN ACT Relating to municipal corporations; adding a new chapter to Title 35 RCW; repealing section 35.13.220, chapter 7, Laws of 1965 and RCW 35.13.220; repealing section 35.13.243, chapter 7, Laws of 1965 and RCW 35.13.243; repealing section 35.13.246, chapter 7, Laws of 1965 and RCW 35.13.246; repealing section 35.13.250, chapter 7, Laws of 1965 and RCW 35.13.250; repealing section 4, chapter 51, Laws of 1969 ex. sess. and RCW 35.13.255; repealing section 35A.14.350, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.350; repealing section 35A.14.360, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.360; repealing section 5, chapter 51, Laws of 1969 ex. sess. and RCW 35A.14.365; repealing section 35A.14.370, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.370; and repealing section 35A.14.600, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.600.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. Whenever used in this act, the following words shall have the following meanings: