

demolishing of any building or buildings or parts thereof or appurtenance thereto, adapted to residential, business, governmental, educational, or manufacturing uses, shall be computed on a base rate only and no merit rating credits or penalties shall be given or imposed on such employers.

Computed  
on base  
rate only.

[R.C.W. 51.16.050 is derived from the last para. of Rem. Supp. 1947, § 7676e.]

Passed the Senate February 15, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 17, 1951.

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## CHAPTER 199.

[ S. B. 109. ]

### FORMATION OF BRIDGE, TUNNEL OR FERRY DISTRICTS.

AN ACT relating to toll bridge, tunnel or ferry facilities or projects therefor; authorizing the formation of districts in aid of such facilities or projects of the Washington toll bridge authority and the levy of assessments for such purpose and the use of funds derived therefor; declaring the duties of certain officers; and declaring an emergency.

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

SECTION 1. This act is designed to provide a means whereby cities, counties and towns, or portions thereof, acting singly or jointly with each other, may form bridge, tunnel, or ferry districts for the purpose of:

Declaration  
of purpose.

(1) Adding existing or projected facilities by guaranteeing the payment of bonds issued to finance such facilities and thereby enabling the sale of such bonds at lower rates of interest (which would be reflected in lower tolls); or

(2) Expediting the retirement of obligations of an existing toll facility in order to bring about the early removal of toll charges.

SEC. 2. As used in this act:

"Municipality."

"Municipality" shall mean any city, county or town, or portion thereof;

"District."

"District" shall mean a toll facility aid district established under the provisions of this act and shall be either a "bond guarantee district" or a "bond retirement district";

"Toll authority."

"Toll Authority" shall mean the Washington toll bridge authority;

"Governing body."

"Governing body" shall mean the chief legislative authority of any municipality;

"District authority."

"District authority" shall mean the governing authority of a district.

District purposes; guaranteeing bonds, expediting bond retirement.

SEC. 3. Any municipality or any municipalities, acting jointly may create a district:

(1) For the purpose of guaranteeing the bonds or securities of any project constructed, or to be constructed by the toll authority; or

(2) For the purpose of expediting the retirement of any bonds heretofore issued in connection with any facility of the toll authority, in the manner set forth in this act.

Election to form district.

SEC. 4. At any general election, or at any special election which may be called for that purpose, the governing body of any municipality or the governing bodies of any municipalities acting jointly may, or on petition of three hundred qualified electors within a district proposed by the petition to be formed, shall submit to the voters within the proposed district the proposition whether such a district shall be formed.

Election; submission of question of general tax levy.

SEC. 5. The governing body or bodies shall likewise at the same election submit to the voters the question whether a general tax levy of not to exceed three mills upon the assessed valuation of the taxable property in the district shall be levied for district purposes. It may also state the limit of duration of any levy of such tax.

SEC. 6. Prior to such election the governing body or bodies shall by ordinance declare the intention to submit to the voters within the proposed district the proposition of creating a district and the levy of assessments therefor for a stated period of years. The ordinance shall be published once a week for three weeks in a daily newspaper generally circulated in the proposed district, the last publication to be at least ten days before the election. The proposition shall appear upon the ballot in substantially the following language:

Election; ordinance declaring intention to hold.

Publication.

Ballot form.

FOR the formation of a bond guarantee (retirement) district in aid of ..... facility (project) and the levy of.....mill (s) assessment therefor .....

AGAINST the formation of a bond (retirement) guarantee district for ..... facility (project) .....

SEC. 7. Elections for the formation of toll facility aid districts shall be held in accordance with the general election laws of the state. Special precincts may be established for the purpose of holding such elections.

General election laws control.

Special precincts.

SEC. 8. If a majority of those voting shall vote in favor of the formation of the district and such levy, the district shall then be a municipal corporation for the purposes of this act voted upon. If the propositions shall fail to carry, the governing body or bodies of municipalities participating, shall by resolution declare the proceedings for the formation of the district to be void.

Favorable vote; district becomes municipal corporation.

Unfavorable vote; proceedings void.

SEC. 9. The governing body or bodies may appropriate by emergency appropriation from any funds available any sums necessary to pay the preliminary, organizational or election expenses of a new district.

Preliminary expense; emergency appropriation.

SEC. 10. Upon such favorable vote, the governing body of the municipality, or in the case mu-

Governing  
body to  
constitute  
authority.

District  
officials.

Resolution  
declaring  
district  
authorized.

municipalities have acted jointly, then the governing bodies of all such municipalities participating, acting as one body, shall constitute the district authority, and the auditing, treasury, taxing, and assessing officials of the component municipality comprising in area the largest part of the district shall, for the purpose of this act, be deemed to be district treasury, taxing and assessing officials. The first act of the district authority shall be to declare the district organized. A copy of the resolution so declaring shall be filed with the district taxing and assessing officials.

Toll author-  
ity; new  
construction  
contingent  
upon forma-  
tion of  
district.

Guaranteed  
bonds; levy  
as obligation  
of district to  
bond holders.

SEC. 11. The toll authority may, in its discretion, make the construction of any new bridge, tunnel or ferry contingent upon the formation of a guaranteed bond district hereunder, and levy of assessments thereby. If any facility is constructed with the proceeds of bonds or securities issued pursuant to and guaranteed by such approval, such levy of assessments shall, for the purposes of the guarantee, and for so long as may be necessary, be an obligation of the district to the bond or security holders of the toll authority as long as any such bonds or securities remain an obligation of the toll authority, and no district shall impair such contractual obligation.

Appeal to  
superior  
court.

SEC. 12. Any person having a substantial interest in and feeling aggrieved by any action of the governing body or bodies, or the district authority, made in the proceedings for the organization of a district, may appeal within five days after such action was taken, to a superior court within the district or proposed district, in the same manner as appeals from the orders of the boards of county commissioners are made and the court shall dispose of such appeal as provided by law for such cases.

Formation  
complete if  
no appeal  
taken.

SEC. 13. If no appeal is taken as provided in section 12, the resolution of the district authority shall be final and the formation of the district com-

plete and its legal existence shall not thereafter be questioned by any person by reason of any defect in the proceedings had for the organization thereof.

SEC. 14. If any assessment levy authorized under this act should for any reason prove unnecessary, the toll authority shall so notify the district authority, which shall thereafter not levy such assessment. Nothing in this section shall forbid the reinstatement of such levy at any time, if in the discretion of the toll authority the reinstatement is necessary to continue any guarantee given pursuant to this act and to fulfill the obligation of the district, and the toll authority shall so notify the district authority.

Where levy unnecessary.

Reinstatement of levy.

SEC. 15. Nothing contained in section 84.52.050, R.C.W., shall prevent the formation of a district and the levy of assessments under the provisions of this act. If any such district is formed in aid of an existing toll facility or to expedite the retirement of the bonds or securities of an existing facility, the levy authorized may be for one year only and the district authority may in its discretion, submit to the voters of the district at the next general election, the proposition of continuing the levy.

R.C.W. 84.52.050; effect.

District in aid of existing facility; levy for only one year.

[R.C.W. 84.52.050 is derived from sec. 1, ch. 11, L. '50 Ex. Sess. (40 mill limit).]

SEC. 16. The district treasurer shall receive and disburse all district revenues, collect all assessments authorized and levied hereunder, and credit all district revenues to the proper fund.

District treasurer; duties.

SEC. 17. There is created in the office of the district treasurer the following funds: "District expense fund" and "aid fund." All sums collected by the treasurer for the district shall be placed in either of these two funds. Such amounts as are necessary and reasonable for the business operations of the district shall be allocated to the "expense fund"; all other sums shall be placed in the "aid fund."

"District expense fund."

"Aid fund."

**Budget.** SEC. 18. After the equalization of assessments for tax purposes in any year, the district authority shall prepare a budget of the requirements of each such district fund and certify and deliver it by the first Tuesday in September of each year to the district taxing and assessing officials to levy and collect in the manner provided by the general tax laws of this state.

**Levies to be made as part of general taxes.** SEC. 19. The levies authorized by this act shall be made against property in the district in accordance with the equalized valuations thereof for general tax purposes and as a part of the general taxes.

**Aid fund; use of proceeds.** SEC. 20. The proceeds of the aid fund of any district shall be available and used in the case of a district formed to guarantee bonds and their interest, issued in aid of a projected facility, to pay any securities or the interest thereon, as and if necessary, or in the case of a district formed to aid an existing facility, in aid of the continued financial operations of the facility. If the levy was made to bring about the early removal of tolls by the retirement of existing bonds or securities of the toll authority issued for such facility, then such fund shall be used for such purpose.

**Payment to toll authority; manner.** SEC. 21. The district authority shall issue vouchers in favor of the toll authority and upon receipt of such vouchers the district auditing officer shall issue warrants therefor and the district treasurer shall pay out money in the aid fund to the toll authority to carry out the purposes of this act. The toll authority shall forthwith apply any sums so received to carry out such purposes.

**Dissolution of district.** SEC. 22. When the purposes of this act have been accomplished, the district authority shall proceed to wind up the affairs of the district and by resolution bring about the dissolution thereof. If any unexpended funds remain in the funds of any district,

such funds shall revert to and be paid by the treasurer into the general expense fund of the municipality or component municipalities.

Unexpended funds.

SEC. 23. The provisions of this act and all proceedings taken hereunder shall be liberally construed in order to carry out the purposes of this act. The adjudication of invalidity of any section, clause, or partial section of this act shall not impair or otherwise affect the validity of this act as a whole, or any part thereof.

Act construed liberally.

Partial invalidity.

SEC. 24. This 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.

Emergency.

Passed the Senate February 17, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 17, 1951.

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## CHAPTER 200.

[ S. B. 125. ]

### IRRIGATION AND RECLAMATION DISTRICTS.

AN ACT relating to irrigation and reclamation districts; amending sections 89.12.050, 89.12.070, 89.12.100, and 89.12.130, R.C.W.

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

SECTION 1. Section 89.12.050, R.C.W., as derived from section 5, chapter 275, Laws of 1943, is amended to read as follows:

Amendment.

A district may enter into repayment and other contracts with the United States under the terms of the federal reclamation laws in matters relating to federal reclamation projects, and may with respect to lands within its boundaries include in the contract, among others, an agreement that:

Federal reclamation projects; districts may contract with United States, terms.