

CHAPTER 94.

[H. B. 43.]

DRAINAGE IMPROVEMENT DISTRICT—MERGER WITH IRRIGATION DISTRICT.

AN ACT authorizing drainage improvement districts, joint drainage improvement districts, and consolidated drainage improvement districts to merge with irrigation districts and providing a procedure therefor and transferring powers; adding seven new sections to chapter 176, Laws of 1913 and to chapter 85.08 RCW; and adding six new sections to the Laws of 1890 commencing on page 671 and to chapter 87.01 RCW.

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

SECTION 1. There are added to chapter 176, Laws of 1913 and to chapter 85.08 RCW seven new sections to read as set forth in sections 2 through 8 of this act.

New sections.

SEC. 2. Whenever a drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district within an irrigation district or irrigation districts desires to merge with an irrigation district or irrigation districts in which lands of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district are located, it may petition the board or boards of county commissioners, as the case may be, to do so: *Provided*, That only that portion of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district within a particular irrigation district may merge with the irrigation district within which it is situated.

Merger of improvement district with irrigation district. Authorization.

SEC. 3. The boards of county commissioners of the counties in which a joint drainage improvement district is situated shall have jurisdiction in joint session to hear, supervise and conduct the merger proceedings relating to such a district. The auditor of the county in which the greater length of the system of

Jurisdiction to hear, supervise and conduct proceedings—Clerk, notice, records.

Merger of
improvement
district with
irrigation
district. Clerk,
notice, records.

improvements lies shall act as clerk of the joint sessions of the boards of county commissioners, and shall give the notice provided for in section 6 hereof. He shall furnish to the auditor of the other county duplicate copies of the records of proceedings of the joint sessions. Duplicate records of all proceedings had and papers filed in connection with the merger of a joint drainage improvement district shall be kept with the auditor of each county. The board of county commissioners of the county in which a drainage improvement district or consolidated drainage improvement district is situated shall have exclusive jurisdiction to hear, supervise and conduct merger proceedings relating to such districts.

Petition—
Signing—
Presentation.

SEC. 4. The petition requesting the merger shall be signed by the board of supervisors of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district and presented to the clerk or clerks of the appropriate board or boards of county commissioners, at a regular or special meeting of the board or boards.

Assent by irri-
gation district
—Election,
order, notice.

SEC. 5. If it appears to the board or boards of county commissioners that all portions of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district will, as a result of the proceedings, be merged with the irrigation district or irrigation districts and that the board or boards of directors of the irrigation district or irrigation districts into which the drainage improvement, joint drainage improvement district, or consolidated drainage improvement district will be merged, which irrigation district or irrigation districts shall be named in the petition, are agreeable to the merger, and that the assent or assents thereto, in writing, by said irrigation district board or boards have been filed with the board or boards of county commissioners, the

board or boards of county commissioners shall order an election to be held in the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district to approve or disapprove the merger and shall fix the time thereof and cause notice to be published.

SEC. 6. The notice shall be given and the election conducted in the manner, so far as is applicable, as for the election of members of the board of supervisors of a drainage improvement district. The notice shall advise of the election so ordered and the date, time and place thereof, state the filing of the petition, the names of those signing the petition and prayer thereof, and shall require the voters to cast ballots with the words "Merger, Yes" or "Merger, No."

Notice, contents—Election, ballots.

SEC. 7. If a majority of the votes cast favor merger, the board or boards of county commissioners shall enter an order approving the petition and ordering the merger and file a certified copy thereof with the county auditor or auditors of the county or counties in which the district is situated, and the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district shall thereupon be dissolved and its system of improvements vested in the irrigation district or irrigation districts without further proceedings. If a majority of the votes cast are against merger, the board of commissioners shall enter an order dismissing the proceedings. If the merger is approved, the expenses of the county or counties in connection with the election will be paid by the irrigation district or irrigation districts, with each irrigation district, if there is more than one, paying the same portion of the expenses as that portion of the drainage improvement district, joint drainage improvement district, or consolidated drainage district which is merged into the irrigation district. If the merger is not approved, the expenses of the

Proceedings and costs on approval or disapproval.

county or counties in connection with the election will be paid by the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district.

Merger of im-
provement
district with
irrigation dis-
trict.
Prior
indebtedness.

SEC. 8. None of the indebtedness of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district, or of the drainage improvement districts taken into the consolidated drainage improvement district, shall be affected by the merger and dissolution, and all lands liable to be assessed to pay such indebtedness shall remain liable to the same extent as if the merger and dissolution had not taken place, and all assessments theretofore levied shall remain unimpaired and shall be collected in the same manner as if no merger had taken place. The board or boards of directors of the irrigation district or irrigation districts with which the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district was merged shall have all the powers possessed at the time of the merger by the board of supervisors of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district and the board or boards of county commissioners may levy and cause to be collected any and all assessments against any of the lands formerly within the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district necessary for the payment of all indebtedness thereof, and of the drainage improvement districts taken into the consolidated drainage improvement district. Until the assessments are collected and all indebtedness of each drainage improvement district or joint drainage improvement district included in the merger, either as such or, in the case of the former, as a part of a consolidated drainage

improvement district, is paid, separate funds shall be maintained for each such drainage improvement district or joint drainage improvement district as were maintained before the merger.

SEC. 9. There are added to the Laws of 1890 commencing on page 671 and to chapter 87.01 RCW six new sections to read as set forth in sections 10 through 15 of this act.

New sections.

SEC. 10. The board of directors of an irrigation district shall, after being notified by the board or boards of county commissioners of the filing of the petition therefor, have the power to assent to the proposed merger with the irrigation district of that portion of a drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district within its boundaries at a hearing duly called by the board to consider the proposed merger if sufficient objections thereto have not been presented, as hereinafter provided.

Merger of improvement district with certain drainage districts. Power to assent.

SEC. 11. The secretary of the board of directors shall cause a notice of the proposed merger to be posted and published in the same manner and for the same time as notice of a special election for the issue of bonds. The notice shall state that a petition has been filed with the board or boards of county commissioners by the board of supervisors of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district requesting that the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district be merged with the irrigation district or irrigation districts, the names of the petitioners and the prayer thereof, and it shall notify all persons interested in the irrigation district to appear at the office of the board at the time named in the notice, and show cause in writing why the proposed merger should not take place. The time to show cause shall

Notice—Contents—Publication—Show cause against merger.

be the regular meeting of the board of directors of the irrigation district next after the expiration of the time for the publication of the notice.

Hearing—Failure to show cause deemed assent.

SEC. 12. At the time of hearing, or at such other time to which the hearing may be adjourned, the board of directors of the irrigation district shall hear the proposal of merger and any objections thereto. Failure to show cause shall be deemed as assent to the proposed merger.

Assent, refusal to assent—Effect of show cause against merger.

SEC. 13. The board of directors of the irrigation district, if it deems it not for the best interest of the irrigation district that the proposed merger take place, shall enter an order refusing to assent to the merger. But, if it deems it to be to the best interest of the irrigation district that the merger take place and, if twenty-five or more persons interested in the irrigation district have not shown cause in writing why the proposed merger should not take place, or, if having shown cause, withdraw the same, the board of directors of the irrigation district may enter an order assenting to the proposed merger.

If twenty-five or more persons interested in the irrigation district shall show cause, as aforesaid, why the proposed merger should not take place and shall not withdraw the same, and if the irrigation district board nevertheless deems it for the best interest of the irrigation district that the proposed merger take place, the board shall adopt a resolution to that effect.

Election.

SEC. 14. Upon the adoption of the resolution, the board shall order an election held within the irrigation district on the question of the proposed merger and shall fix the time thereof and cause notice to be published. The notice shall be given and the election conducted in the manner as for special elections on a bond issue of the district. The ballots shall contain the words "Merger, Yes" and "Merger, No" or words equivalent thereto.

SEC. 15. If a majority of the votes cast at the election are against the merger, the irrigation district board shall enter an order refusing to assent to the merger. If a majority of the votes cast favor the merger, the board shall enter an order assenting to the proposed merger. A copy of the order certified by the president and secretary of the board shall be filed with the board of county commissioners or, in case the merger involves a joint drainage improvement district, with the boards of county commissioners of the counties in which the joint drainage improvement district is situated.

Order of
assent or
refusal.

Passed the House February 8, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 95.

[H. B. 115.]

TRAFFIC CONTROL AT WORK SITES.

AN ACT relating to traffic control at work sites; and providing penalties.

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

SECTION 1. When construction, repair or maintenance work is conducted on or adjacent to a public highway, county road, street, bridge or other thoroughfare commonly traveled and when such work interferes with the normal and established mode of travel on such highway, county road, street, bridge or thoroughfare, such location shall be properly posted by prominently displayed signs or flagmen or both. Signs used for posting in such an area shall be consistent with the provisions found in the state of Washington "Manual on Uniform Traffic Control Devices for Streets and Highways" obtainable from the Washington state department of highways.

Signs or
flagmen at
thoroughfare
work sites.