

held on the first Saturday in December immediately following the creation of such port district:" is here omitted as obsolete in view of later enactments, see RCW 53.12.172 (1951 c 68 § 2) and RCW 53.12.220 (1941 c 45 § 2).

Explanatory
note.

- Section 8. (RCW 53.12.150) Source—1913 c 62 § 2, ninth sentence (second proviso) and tenth through twelfth sentences.
- Section 9. (RCW 53.12.140) Source—1913 c 62 § 2, thirteenth sentence.
- Section 10. (RCW 53.12.120) Source—1913 c 62 § 2, fourteenth through eighteenth sentences, as amended by 1953 c 198 § 1.
- Section 11. (RCW 53.12.130) Source—1913 c 62 § 2, nineteenth through twenty-first sentences, as amended by 1953 c 198 § 2.
- Section 12. (RCW 53.08.210) Source—1913 c 62 § 2, last sentence.
This sentence was not codified by the 1941 Code Committee.

CHAPTER 18.

[H. B. 10.]

WATER DISTRICTS—COMMISSIONERS—ELECTIONS— LOCAL IMPROVEMENTS—ANNEXATION.

AN ACT relating to water districts; amending section 7, chapter 114, Laws of 1929, as amended by section 2, chapter 50, Laws of 1945 and RCW 57.12.010; repealing and reenacting section 6, chapter 114, Laws of 1929, section 1, chapter 72, Laws of 1931, section 1, chapter 50, Laws of 1945, section 1, chapter 216, Laws of 1947, and section 4, chapter 251, Laws of 1953, (RCW 57.12.020 and 57.12.030); repealing and reenacting section 10, chapter 114, Laws of 1929, section 1, chapter 177, Laws of 1937, section 2, chapter 128, Laws of 1939, sections 1 and 2, chapter 112, Laws of 1951, sections 1 and 2, chapter 25, Laws of 1951 second extraordinary session, and sections 5, 6 and 7, chapter 251, Laws of 1953, (RCW 57.16.010, 57.16.020, 57.16.030 and 57.16.040); repealing and reenacting section 12, chapter 114, Laws of 1929, and sections 14 and 15, chapter 251, Laws of 1953, (RCW 57.16.060, 57.16.070 and 57.16.080); repealing and reenacting section 15, chapter 114, Laws of 1929, section 5, chapter 72, Laws of 1931, and section 5, chapter 25, Laws of 1951 second extraordinary session, (RCW 57.24.010 and 57.24.020); and declaring an emergency.

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

SECTION 1. Section 7, chapter 114, Laws of 1929 as amended by section 2, chapter 50, Laws of 1945 and RCW 57.12.010 are each amended to read as follows:

RCW 57.12.010
amended.

Commissioners
~~—President~~
~~and secretary~~
~~—Compensa-~~
~~tion.~~

When the said water district shall be created as hereinbefore provided for, the officers of such district shall be a board of water commissioners consisting of three members elected as provided in RCW 57.12.020 and 57.12.030 and said board of water commissioners shall annually elect one of their number as president and another of their number as secretary of said board.

The secretary of the said board of water commissioners may be paid a reasonable sum for the clerical services performed by him. They shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings shall be by resolution recorded in a book or books kept for such purpose which shall be public records.

Each water district may provide by resolution for the payment of compensation to each of its commissioners at a rate not exceeding ten dollars for each day or major part thereof devoted to the business of the district. Each water district commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business, including his subsistence and lodging while away from his place of residence and mileage for use of personal automobile at the rate of five cents per mile.

The date for holding elections and taking office as herein provided shall be subject to the provisions of any consolidated election laws that may be made applicable thereto although previously enacted.

Note: See also section 5, chapter 108, Laws of 1959.

Session laws,
repealed,
reenacted.

SEC. 2. Section 6, chapter 114, Laws of 1929, section 1, chapter 72, Laws of 1931, section 1, chapter 50, Laws of 1945, section 1, chapter 216, Laws of 1947, and section 4, chapter 251, Laws of 1953 are repealed and reenacted as set forth in sections 3 and 4 of this act.

RCW 57.12.020.

SEC. 3. (RCW 57.12.020) Nominations for the first board of commissioners to be elected at the election for the formation of the water district shall

be by petition of at least twenty-five of the qualified electors of the district, filed in the auditor's office of the county in which the district is located, at least thirty days prior to the election. Thereafter, candidates for the office of water commissioners shall file declarations of candidacy and their election shall be conducted as provided by the general election laws. A vacancy on the board shall be filled by appointment by the remaining commissioners until the next regular election for commissioners: *Provided*, That if there is a vacancy of the entire board a new board may be appointed by the board of county commissioners.

Commissioners, nomination, declaration of candidacy, election law, vacancy—Qualification of voters.

Any person residing in the district who is a qualified voter under the laws of the state may vote at any district election.

SEC. 4. (RCW 57.12.030) The officers of any city or town, or in any precinct in a water district where registration is required, having charge of the registration shall deliver the same to the water commissioners for the use of the election officers at any election held in a water district formed under and in accordance with the provisions of this act. And the registration of voters for election to be held in such water district shall be conducted by the city or town clerks and officers of registration of the city, town and territory embraced within said water district. And any elector who shall have registered in accordance with the laws of this state, entitling him to vote at a general or special election in the city, town or territory comprised within such water district, within time to constitute same a good registration for any general or special election of said water district, shall be entitled to vote thereat without further or other registration. The city or town clerk or registration officer required to perform the duties enumerated under this act shall receive no additional compensation therefor.

RCW 57.12.030. Registration of voters—Conduct of elections—Expenses of election to form district—Commissioners, terms.

RCW 57.12.030.
 Registration
 of voters—
 Conduct of
 elections—
 Expenses of
 election to
 form district
 —Commis-
 sioners,
 terms.

The general laws of the state of Washington governing the registration of voters for a general or a special city or town municipal election, when not inconsistent with the foregoing provision, shall govern the registration of voters for elections held under this chapter, and the registration books of the city, town and territory comprising said water district shall be the books used by said water district, and no separate registration books shall be kept or maintained by it. The manner of holding any general or special election for said water district shall be in accordance with the laws of this state and the charter provisions of the cities or towns within said water district if any there be, and insofar as the same are not inconsistent with the provisions of this act. All expenses of elections for the formation of such water districts shall be paid by the county in which said election is held and such expenditure is hereby declared to be for a county purpose, and the money paid out for such purpose shall be repaid to such county by the water district if formed.

Except as in this section otherwise provided, the term of office of each water district commissioner shall be six years, such term to be computed from the first day of December following his election, and one such commissioner shall be elected at each biennial general election for the term of six years and until his successor has been elected and has qualified. All candidates shall be voted upon by the entire water district.

In any water district hereafter formed, three water district commissioners shall be elected at the same election at which the proposition is submitted to the voters as to whether such water district shall be formed. The commissioner residing in commissioner district number one shall hold office for the term of six years; the commissioner residing in commissioner district number two shall hold office for

the term of four years; and the commissioner residing in commissioner district number three shall hold office for the term of two years. The terms of all commissioners first to be elected as above provided shall include the time intervening between the date that the results of their election are declared in the canvass of returns thereof, and the date from which the length of their terms is computed as above specified.

No election of commissioners in any water district, except to fill vacancies, shall be held until the biennial general election on the first Tuesday following the first Monday in November, 1946, at which time and thereafter such elections shall be held as herein provided. At said general election, there shall be elected two water district commissioners in each water district, one for a term of four years commencing December 1, 1946, in such commissioner district where the water district commissioner resides whose successor, but for the provisions of chapter 50, Laws of 1945, would be elected on the second Saturday in December, 1945, and one for a term commencing on the second Monday in December, 1946, and expiring December 1, 1952, in such commissioner district where the water commissioner resides whose successor, but for the provisions of chapter 50, Laws of 1945, would be elected on the second Saturday in December, 1946, and at the general election to be held on the first Tuesday following the first Monday in November, 1948, there shall be elected one water district commissioner for a term of six years commencing December 1, 1948, in such commissioner district of each such water district where the commissioner resides whose successor, but for the provisions of chapter 50, Laws of 1945, would be elected on the second Saturday in December, 1947.

All commissioners shall hold office until their successors shall have been elected and have qualified.

Session laws,
repealed,
reenacted.

SEC. 5. Section 10, chapter 114, Laws of 1929, section 1, chapter 177, Laws of 1937, section 2, chapter 128, Laws of 1939, sections 1 and 2, chapter 112, Laws of 1951, sections 1 and 2, chapter 25, Laws of 1951 second extraordinary session, and sections 5, 6 and 7, chapter 251, Laws of 1953, are repealed and reenacted as set forth in sections 6, 7, 8 and 9 of this act.

RCW 57.16.010.
Comprehen-
sive plan of
improvements.

SEC. 6. (RCW 57.16.010) It shall be the duty of the water district commissioners of every water district before creating any improvements hereunder or submitting to vote any plan for incurring any indebtedness, to consider and determine upon and adopt a comprehensive scheme or plan of water supply for such district for the purposes authorized in this act, and for such purposes, the water district commissioners shall investigate the several portions and sections of such water district for the purpose of determining the present and future needs of such district in regard to a water supply; to examine and investigate, determine and select a water supply or water supplies for such district suitable and adequate for present and future needs thereof; to consider and determine a general system or plan for acquiring such water supply or water supplies, and the lands, waters and water rights and easements necessary therefor; and for retaining and storing any such waters, erecting dams, reservoirs, aqueducts and pipe lines to convey the same throughout such district; there may be included as part of the system the installation of fire hydrants at suitable places throughout the district, and the purchase and maintenance of necessary fire fighting equipment and apparatus, together with facilities for housing same; for determining the plan or system for distributing such water throughout such district by means of subsidiary aqueducts and pipe lines, and the method of distributing the cost and expense thereof against such

water district and against local improvement districts within such water district for any purpose authorized in this act, and including any such local improvement district lying wholly or partially within the limits of any city or town in such district and to determine the whole or such part of the cost and expenses to be paid from water revenue bonds as in this act provided. The commissioners may employ such engineering and legal service as in their discretion is necessary in carrying out the objects and purposes of this act.

Note: See also section 6, chapter 108, Laws of 1959.

SEC. 7. (RCW 57.16.020) The commissioners may submit to the voters of the district at any general or special election, a proposition that the district incur a general indebtedness payable from annual tax levies to be made in excess of the forty mill tax limitation for the construction or any part or all of the comprehensive plan. The amount of the indebtedness and the terms thereof shall be included in the proposition submitted to the voters, and the proposition shall be adopted by three-fifths of the voters voting thereon, at which such election the total number of persons voting shall constitute not less than forty percent of the total number of votes cast in said water district at the last preceding general state election. When the comprehensive plan has been adopted the commissioners shall carry it out to the extent specified in the proposition to incur general indebtedness.

RCW 57.16.020.
Vote on
general
indebtedness.

Note: See also section 7, chapter 108, Laws of 1959.

SEC. 8. (RCW 57.16.030) The commissioners may submit at any general or special election, a proposition that the district issue revenue bonds for the construction or other costs of any part or all of the plan. The amount of the bonds and the terms thereof shall be included in the proposition submitted.

RCW 57.16.030.
Election to
authorize
revenue bonds.

The proposition to issue such revenue bonds may include provision for refunding any local improvement district bonds of a district, out of the proceeds

of sale of revenue bonds, and a district may pay off any outstanding local improvement bonds with such funds either by purchase in the open market below their par value and accrued interest or by call at par value and accrued interest at the next succeeding coupon maturity date.

No proposition for the issuance of revenue bonds shall be submitted at any election if there are outstanding any district local improvement district bonds issued under the provisions of RCW 57.20.030 to 57.20.090, unless the proposition provides that all such local improvement district bonds shall be paid out of the proceeds of the sale of the revenue bonds.

The proposition for issuance of revenue bonds shall be adopted by a majority of the voters voting thereon. When a proposition has been adopted the commissioners may forthwith carry out the general plan to the extent specified.

Note: See also section 8, chapter 108, Laws of 1959.

RCW 57.16.040.
Additions and
betterments.

SEC. 9. (RCW 57.16.040) In the same manner as provided for the adoption of the original comprehensive plan, a plan providing for additions and betterments to the original plan may be adopted.

The district may incur a general indebtedness payable from annual tax levies to be made in excess of the forty mill limitation for the construction of the additions and betterments in the same way that general indebtedness may be incurred for the construction of the original plan after submission to the voters of the entire district in the manner the original proposition to incur indebtedness was submitted. Upon ratification the additions and betterments may be carried out by the commissioners to the extent specified in the proposition to incur the general indebtedness.

The district may issue revenue bonds to pay for the construction of the additions and the betterments in the same way revenue bonds may be issued for payment of the construction of the original compre-

hensive plan or any portion thereof. Revenue bonds for additions and betterments may be issued by the water commissioners without authorization of the voters of the district.

Note: See also section 9, chapter 108, Laws of 1959.

SEC. 10. Section 12, chapter 114, Laws of 1929, and sections 14 and 15, chapter 251, Laws of 1953 are repealed and reenacted as set forth in sections 11, 12 and 13 of this act.

Session laws repealed, reenacted.

SEC. 11. (RCW 57.16.060) Local improvement districts or utility local improvement districts to carry out the whole or any portion of the comprehensive plan of improvements or plan providing for additions and betterments to the original plan previously adopted may be initiated either by resolution of the board of water 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 local improvement district to be created.

RCW 57.16.060. Resolution or petition for district—Procedure—Improvement ordered—Divestment of power to order.

In case the board of water commissioners shall desire to initiate the formation of a local improvement district or a utility local improvement district by resolution, it shall first pass 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 local improvement district or utility local improvement district, and 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 local improvement district or utility local improvement district shall be initiated by petition, such petition shall set forth the nature and territorial extent of the proposed improvement

RCW 57.16.060.
 Resolution or
 petition for
 district—
 Procedure—
 Improvement
 ordered—
 Divestment of
 power to
 order.

requested to be ordered 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 local improvement district or utility local improvement district to be created. Upon the filing of such petition 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 the petition after the same has been filed with the board of water 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 and 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.

The resolution of intention, whether 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 water commissioners. Notice of the adoption of the resolution of intention shall 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 notice shall refer to the resolution of intention and designate the proposed improvement district by number. Said notice 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 estimated amount of the cost and expense of such improvement to be borne by the particular lot, tract or parcel, the date, time and place of the hearing before the board of water 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 water commissioners before the time fixed for said public hearing.

Whether the improvement is initiated by petition or resolution, the board shall conduct a public hearing at the time and place designated in the notice to property owners. At this hearing the board shall hear objections from any person affected by the formation of the local district and may make such changes in the boundaries of the district or such modification in the plans for the proposed improvement as shall be deemed necessary: *Provided*, That the board may not change the boundaries of the district to include property not previously included therein without first passing a new resolution of intention and giving a new notice to property owners in the manner and form and within the time herein provided for the original notice.

After said hearing the commissioners shall have jurisdiction to overrule protests and proceed with any such improvement initiated by petition or resolution: *Provided*, That the jurisdiction of the commissioners to proceed with any improvement initiated by resolution shall be divested by protests filed with the secretary of the board prior to said

public hearing signed by the owners, according to the records of the county auditor, of at least forty percent of the area of land within the proposed local district.

If the commissioners find that the district should be formed, they shall by resolution order the improvement, provide the general funds of the water district to be applied thereto, adopt detailed plans of the local improvement district or utility local improvement district and declare the estimated cost thereof, acquire all necessary land therefor, pay all damages caused thereby, and commence in the name of the water district such eminent domain proceedings as may be necessary to entitle the district to proceed with the work. The board shall thereupon proceed with the work and file with the county treasurer its roll levying special assessments in the amount to be paid by special assessment against the property situated within the improvement district in proportion to the special benefits to be derived by the property therein from the improvement.

RCW 57.16.070.
Hearing on
assessment
roll—Notice.

SEC. 12. (RCW 57.16.070) Before approval of the roll a notice shall be published once a week for two consecutive weeks in a newspaper of general circulation in the local district, stating that the roll is on file and open to inspection in the office of the secretary, and fixing the time, not less than fifteen or more than thirty days from the date of the first publication of the notice within which protests must be filed with the secretary against any assessments shown thereon, and fixing a time when a hearing will be held by the commissioners on the protests. Notice shall also be given by mailing, at least fifteen days before the hearing, a similar notice to the owners or reputed owners of the land in the local district as they appear on the books of the treasurer of the county in which the water district is located. At the hearing, or any adjournment thereof, the com-

missioners may correct, change or modify the roll, or any part thereof, or set aside the roll and order a new assessment, and may then by resolution approve it. If an assessment is raised a new notice similar to the first shall be given, after which final approval of the roll may be made. When property has been entered originally upon the roll and the assessment thereon is not raised, no objection thereto shall be considered by the commissioners or by any court on appeal unless the objection is made in writing at, or prior, to the date fixed for the original hearing upon the roll.

SEC. 13. (RCW 57.16.080) In the event that any portion of the system after its installation is not adequate for the purpose for which it was intended, or that for any reason changes, alterations or betterments are necessary in any portion of the system after its installation then a local improvement district with boundaries which may include one or more existing local improvement districts may be created in the water district in the same manner as is provided herein for the creation of local improvement districts; that upon the organization of such a local improvement district as provided for in this paragraph the plan of the improvement and the payment of the cost of the improvement shall be carried out in the same manner as is provided herein for the carrying out of and the paying for the improvement in the local improvement districts previously provided for in this act.

RCW 57.16.080.
Enlarged
district.

SEC. 14. Section 15, chapter 114, Laws of 1929, section 5, chapter 72, Laws of 1931, and section 5, chapter 25, Laws of 1951 second extraordinary session are repealed and reenacted to read as set forth in sections 15 and 16 of this act.

Session laws,
repealed,
reenacted.

SEC. 15. (RCW 57.24.010) The territory adjoining or in close proximity to and in the same county

RCW 57.24.010.

Annexation
authorized—
Petition—
Notice of
hearing.

with a district may be annexed to and become a part of the district in the following manner: Twenty per cent of the number of registered voters residing in the territory proposed to be annexed who voted at the last election may file a petition with the district commissioners and cause the question to be submitted to the electors of the territory whether such territory will be annexed and become a part of the district. If the commissioners concur in the petition, they shall file it with the county auditor, who shall, within ten days, examine the signatures thereon and certify to the sufficiency or insufficiency thereof; and for such purpose he shall have access to all registration books in the possession of the officers of any city or town in the proposed district. If the petition contains a sufficient number of signatures, the auditor shall transmit it, together with his certificate of sufficiency attached thereto to the water commissioners of the district. If there are no electors residing in the territory to be annexed, the petition may be signed by such a number as appear of record to own at least a majority of the acreage in the territory, and the petition shall disclose the total number of acres of land in the territory and the names of all record owners of land therein. If the commissioners are satisfied as to the sufficiency of the petition and concur therein, they shall send it, together with their certificate of concurrence attached thereto to the board of county commissioners.

The county commissioners, upon receipt of a petition certified to contain a sufficient number of signatures of electors, or upon receipt of a petition signed by such a number as own at least a majority of the acreage, together with a certificate of concurrence signed by the water commissioners, at a regular or special meeting shall cause to be published for at least two weeks in two successive issues of some weekly newspaper printed in the county, and

in general circulation throughout the territory proposed to be annexed, and in case no such newspaper is printed in the county, then in some such newspaper of general circulation therein, a notice that the petition has been filed, stating the time of the meeting at which it shall be presented, and setting forth the boundaries of the territory proposed to be annexed.

SEC. 16. (RCW 57.24.020) When such petition is presented for hearing, the said board of county commissioners shall hear the same or may adjourn said hearing from time to time not exceeding one month in all, and any person, firm or corporation may appear before the board of county commissioners and make objections to the proposed boundary lines or to the annexation of the territory described in the petition; and upon a final hearing the said board of county commissioners shall make such changes in the proposed boundary lines as they deem to be proper and shall establish and define such boundaries and shall find whether the proposed annexation of the said territory as established by the said board of county commissioners to the said water district will be conducive to the public health, welfare and convenience and will be of special benefit to the land included within the boundaries of the territory proposed to be annexed to the said water district and so established by the said board of county commissioners: *Provided*, That no lands which will not, in the judgment of said board, be benefited by inclusion therein, shall be included within the boundaries of said territory as so established and defined: *And provided further*, That no change shall be made by the said board of county commissioners in the said boundary lines, including any territory outside of the boundary lines described in the petition: *Provided further*, That no person having signed such petition as herein provided for shall be allowed to withdraw his name therefrom after the

RCW 57.24.020.
Hearing procedure—
Boundaries—
Election,
notice, judges.

RCW 57.24.020.
Hearing pro-
cedure—
Boundaries—
Election, no-
tice, judges.

filing of the same with the board of water commis-
sioners to said water district.

Upon the entry of the findings of the final hearing to the said petition by the said county commissioners of such county, if they find the said proposed annexation of the territory to the said water district to be conducive to the public health, welfare and convenience and to be of special benefit to the land proposed to be annexed and included within the boundaries of the district, they shall give notice of a special election to be held within the boundaries of the territory proposed to be annexed to said water district for the purpose of determining whether the same shall be annexed to the said water district; and such notice shall particularly describe the boundaries established by the board of county commissioners on its final hearing of the said petition, and shall state the name of the water district to which the said territory is proposed to be annexed, and the same shall be published for at least two weeks prior to such election in a weekly newspaper printed and published within the county within which said district is located, and in case no such newspaper be printed or published in such county, then in some such newspaper of general circulation therein for two successive issues thereof, and shall be posted for the same period in at least four public places within the boundaries of the district proposed to be annexed, which notice shall designate the places within the territory proposed to be annexed to said water district where the said election shall be held, and shall require the voters to cast ballots which shall contain the words:

For Annexation to Water District

or

Against Annexation to Water District

The said county commissioners shall name the persons to act as judges at such election.

SEC. 17. This act is necessary for the immediate Emergency.
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 House January 20, 1959.

Passed the Senate January 27, 1959.

Approved by the Governor January 30, 1959.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.) Explanatory note.

The Statute Law Committee in review of Title 57 of the Revised Code of Washington has noted several instances where a session law section has been divided into two or more RCW sections and the legislature has subsequently amended one or more, but less than all, of the RCW sections derived from the session law section.

The purpose of this bill, with two exceptions, is to repeal and reenact the RCW and session law sections, thereby restoring the latest session law language and ratifying the division of the session law section into several code sections, thus curing any possible defect arising from the amendment of less than the whole session law section.

Section 1. 1929 c 114 § 7 as amended by 1945 c 50 § 2 contains an internal reference to "section 6 of this act", which latter section was divided by the 1941 Code Committee and subsequently amended in part thereby being the object of correction in sections 2 through 4 of this act. Section 6 is presently codified as RCW 57.12.020 and 57.12.030; hence a translation to these RCW numbers is herein made for clarification.

Sections 2 through 4. 1929 c 114 § 6, as amended by 1931 c 72 § 1, 1945 c 50 § 1 and 1947 c 216 § 1, was divided by the 1941 Code Committee into RCW 57.12.020, 57.12.030 and 57.12.040. RCW 57.12.020 was subsequently amended by 1953 c 251 § 4. The Statute Law Committee in its restoration program recombined these sections as RCW 57.12.020 and 57.12.030 and are herein so presented; RCW 57.12.040 is a memorial section only, hence, no action is here required. In section 4 reference was made in the original enactment to "section 5123 of Remington's Revised Statutes or any amendment thereto". The section referred to was repealed by 1933 c 1 § 31, and section 7 of the latter act covered the same subject matter. The latter section 7 was, however, in turn repealed by 1945 c 95 § 2. Existing election laws provide that registration books are open continuously. The obsolete reference and the language connected therewith, herein deleted, reads:

"And the registration of voters for election to be held in such water district shall be conducted by the city or town clerks and officers of registration of the city, town and territory embraced within said water district [; and the notice prescribed to be given by section 5123 of Remington's Revised Statutes or any amendment thereto shall constitute sufficient notice to citizens residing within said water district for registration for any general or special election therein, without the necessity for such notice specially stating that it is for registration for an election to be held in a water district]."

(Bracketed language deleted.)

Also in section 4, in the paragraph next to last, the language "but for the provisions of chapter 50, Laws of 1945" has been substituted for "but for this act [1945 c 50]" for clarification to distinguish from the words "this act" elsewhere used when referring to chapter 114, Laws of 1929.

Sections 5 through 9. 1929 c 114 § 10, as amended by 1937 c 177 § 11 and 1939 c 128 § 2, was divided by the 1941 Code Committee into RCW

Explanatory
note.

57.16.010, 57.16.020, 57.16.030 and 57.16.040. RCW 57.16.020 was subsequently amended by 1951 2nd ex.s. c 25 § 1 and 1953 c 251 § 5; RCW 57.16.030 was subsequently amended by 1951 c 112 § 1 and 1953 c 251 § 6; RCW 57.16.040 was subsequently amended by 1951 c 112 § 2, 1951 2nd ex.s. c 25 § 2 and 1953 c 251 § 7.

Sections 10 through 13. 1929 c 114 § 12 was divided by the 1941 Code Committee into RCW 57.16.060, 57.16.070 and 57.16.080. RCW 57.16.060 was subsequently amended by 1953 c 251 § 14 and RCW 57.16.070 by 1953 c 251 § 15.

Sections 14 through 16. 1929 c 114 § 15 as amended by 1931 c 72 § 5 was divided by the 1941 Code Committee into RCW 57.24.010, 57.24.020 and 57.24.030. RCW 57.24.010 was subsequently amended by 1951 2nd ex.s. c 25 § 5. The Statute Law Committee in its restoration program recombined these sections as RCW 57.24.010 and 57.24.020 and are herein so presented; RCW 57.24.030 is a memorial section only, hence no action is here required.

CHAPTER 19.

[H. B. 11.]

MORTGAGES—OBSOLETE LAWS REPEALED.

AN ACT relating to mortgages; repealing section 1986, Code of 1881, section 1, page 104, Laws of 1879, section 1, page 286, Laws of 1877, and section 1, page 43, Laws of 1875; and declaring an emergency.

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

Repeal.

SECTION 1. Section 1986, Code of 1881, section 1, page 104, Laws of 1879, section 1, page 286, Laws of 1877, and section 1, page 43, Laws of 1875 are each repealed.

Emergency.

SEC. 2. 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.

Passed the House January 20, 1959.

Passed the Senate January 27, 1959.

Approved by the Governor January 30, 1959.

Explanatory
note.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

Code of 1881 § 1986, and its precursors, is covered in subject matter by 1899 c 98 § 1, as amended by 1929 c 156 § 1, codified as RCW 61.04.010. The proposed repeal eliminates duplicity in the statutes and confirms the practice of many years.