

## CHAPTER 83

[Substitute House Bill No. 402]

IRRIGATION DISTRICTS—DISBURSEMENT OF FUNDS—DIRECTORS'  
EXPENSES

AN ACT Relating to irrigation districts; amending section 2, chapter 276, Laws of 1961 as last amended by section 1, chapter 367, Laws of 1977 ex. sess. and RCW 87.03.440; amending section 3, chapter 276, Laws of 1961 and RCW 87.03.441; and amending section 39, page 692, Laws of 1889-90 as last amended by section 2, chapter 163, Laws of 1975 1st ex. sess. and RCW 87.03.460.

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

Section 1. Section 2, chapter 276, Laws of 1961 as last amended by section 1, chapter 367, Laws of 1977 ex. sess. and RCW 87.03.440 are each amended to read as follows:

The treasurer of the county in which is located the office of the district shall be ex officio treasurer of the district, and any county treasurer handling district funds shall be liable upon his official bond and to criminal prosecution for malfeasance and misfeasance, or failure to perform any duty as county or district treasurer. The treasurer of each county in which lands of the district are located shall collect and receipt for all assessments levied on lands within his county. There shall be deposited with the district treasurer all funds of the district. He shall pay out such funds upon warrants issued by the county auditor against the proper funds of the district, except the sums to be paid out of the bond fund upon coupons or bonds presented to the treasurer: PROVIDED, That in those districts which designate their own treasurer, the treasurer may issue the warrants or any checks when the district is authorized to issue checks. All warrants shall be paid in the order of their issuance. The district treasurer shall report, in writing, on the first Monday in each month to the directors, the amount in each fund, the receipts for the month preceding in each fund, and file the report with the secretary of the board. The secretary shall report to the board, in writing, at the regular meeting in each month, the amount of receipts and expenditures during the preceding month, and file the report in the office of the board.

The preceding paragraph of this section notwithstanding, the board of directors or board of control of an irrigation district which lies in more than one county and which had assessments in each of two of the preceding three years equal to at least five hundred thousand dollars may designate some other person having experience in financial or fiscal matters as treasurer of the district. In addition, the board of directors of an irrigation district which lies entirely within one county may designate some other person having experience in financial or fiscal matters as treasurer of the district if the board has the approval of the county treasurer to designate some other person. If the board designates a treasurer, it shall require a bond with a surety company authorized to do business in the state of Washington in an amount and

under the terms and conditions which it finds from time to time will protect the district against loss. The premium on the bond shall be paid by the district. The designated treasurer shall collect and receipt for all irrigation district assessments on lands within the district and shall act with the same powers and duties and be under the same restrictions as provided by law for county treasurers acting in matters pertaining to irrigation districts, except the powers, duties, and restrictions in RCW 87.56.110(;) and 87.56.210 ((, 87.80.180, 87.80.190 and 87.80.200;)) which shall continue to be those of county treasurers.

In those districts which have designated their own treasurers, the provisions of law pertaining to irrigation districts which require certain acts to be done and which refer to and involve a county treasurer or the office of a county treasurer or the county officers charged with the collection of irrigation district assessments, except RCW 87.56.110 (;) and 87.56.210 ((, 87.80.180, 87.80.190 and 87.80.200;)) shall be construed to refer to and involve the designated district treasurer or the office of the designated district treasurer.

Any claim against the district for which it is liable under existing laws shall be presented to the board as provided in RCW 4.96.020 and upon allowance it shall be attached to a voucher ((verified by the claimant)) and approved by the chairman and signed by the secretary and directed to the ((auditor)) proper official for payment: PROVIDED, That in the event claimant's claim is for crop damage the claimant in addition to filing his claim within the one hundred twenty day limit and in the manner specified in RCW 4.96.020 must file with the secretary of the district, or in his absence one of the directors, not less than three days prior to the severance of the crop alleged to be damaged, a written preliminary notice pertaining to the crop alleged to be damaged. Such preliminary notice, so far as claimant is able, shall advise the district; that the claimant has filed a claim or intends to file a claim against the district for alleged crop damage; shall give the name and present residence of the claimant; shall state the cause of the damage to the crop alleged to be damaged and the estimated amount of damage; and shall accurately locate and describe where the crop alleged to be damaged is located. Such preliminary notice may be given by claimant or by anyone acting in his behalf and need not be verified. No action may be commenced against an irrigation district for crop damages unless claimant has complied with the provisions of RCW 4.96.020 and also with the preliminary notice requirements of this section.

Sec. 2. Section 3, chapter 276, Laws of 1961 and RCW 87.03.441 are each amended to read as follows:

The directors may provide by resolution that the secretary may deposit the following temporary funds in a local bank in the name of the district: (1) A fund to be known as "general fund" in which shall be deposited all moneys received from the sale of land, except such portion thereof as may

be obligated for bond redemption, and all rentals, tolls, and all miscellaneous collections. This fund shall be transmitted to the district treasurer or disbursed in such manner as the directors may designate. (2) A fund to be known as "fiscal fund" in which shall be deposited all collections made by the district as fiscal agent of the United States. (3) A "revolving fund" in such amount as the directors shall by resolution determine, acquired by the issue of coupon warrants or by transfer of funds by warrant drawn upon the expense fund. This fund may be disbursed by check signed by the secretary or such other person as the board may designate, in the payment of such ~~((current expenses))~~ expenditures as the board may deem necessary. This fund shall be reimbursed by ~~((sending the canceled checks))~~ submitting copies of approved vouchers and/or copy of payrolls to the county auditor with a claim voucher specifying the fund upon which warrants for such reimbursements shall be drawn. The warrants for such reimbursements shall be made out by the auditor to the "secretary's revolving fund."

Sec. 3. Section 39, page 692, Laws of 1889-90 as last amended by section 2, chapter 163, Laws of 1975 1st ex. sess. and RCW 87.03.460 are each amended to read as follows:

The directors shall each receive not to exceed twenty-five dollars per day in attending meetings and while performing other services for the district, to be fixed by resolution and entered in the minutes of their proceedings, and in addition thereto their ~~((travel))~~ reasonable expenses in accordance with chapter 42.24 RCW ~~((43.03.050 and 43.03.060))~~ as now existing or hereafter amended. The board shall fix the compensation of the secretary and all other employees. The board shall, upon the petition of at least fifty or a majority of the electors, submit to the electors at any general district election, a schedule of salaries and fees to be paid hereunder. The petition shall be presented to the board twenty days before a general election, and the result thereof shall be determined and declared as other elections.

Passed the House March 7, 1979.

Passed the Senate March 2, 1979.

Approved by the Governor March 21, 1979.

Filed in Office of Secretary of State March 21, 1979.

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## CHAPTER 84

[Substitute House Bill No. 617]

### FARM AND AGRICULTURAL LANDS—SPECIAL BENEFIT ASSESSMENTS

AN ACT Relating to farm and agriculture land; and adding new sections to chapter 84.34 RCW.

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