

CHAPTER 43.

[S. B. 149.]

AUTHORIZING CONSOLIDATION OF DIKING DISTRICT.

[For the organization of diking districts, see ch. 117, L. 1895; Rem.-Bal., §§ 4091-4136; Pierce's Code, 1912, 151 § 1 et seq.]

AN ACT authorizing the consolidation of two or more contiguous diking districts, heretofore organized or which may hereafter be organized under the diking laws of the State of Washington.

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

Petition.

SECTION 1. That any two or more contiguous diking districts heretofore organized or which may hereafter be organized under the diking laws of the State of Washington, desiring to consolidate into one district, may, upon petition signed by the owners of real property representing a majority of the acreage therein to the commissioners of their respective districts, effect such consolidation by the commissioners of said districts so desiring to consolidate giving thirty days' notice of an election for such purpose to be held in each of said districts, setting forth in said notice the date of said election, and the object of the same, said notice to be given and posted in the same manner as notice of the annual election of commissioners, as provided in the general diking law, and the further publication of the same for at least three successive issues in a weekly newspaper published in the county in which such districts are located, and of general circulation in said districts: *Provided*, That where there is no newspaper so published and circulated, the publication of the notice of said election may be dispensed with.

Notice of election.

Ballot.

SEC. 2. That at such election held pursuant to said notice, a printed ballot shall be furnished by the commissioners of said districts, having printed thereon:

“For consolidation of Diking District No. and No. (here insert numbers), to be known as ‘Consolidated Diking District No. (here insert number), of (here insert name of county) County, Washington.’” And “Against consolidation of Diking District No. and No.

(here insert numbers)” in such form as to enable the voters to express their choice as to the proposition submitted.

SEC. 3. That the manner of conducting said election and the hours between the opening and closing of the polls and the officers of said election shall be the same as provided in the general diking law for the annual election of officers of diking districts, and in case a canvass of the votes cast at said election shall show a majority of the votes cast in each of the districts seeking to consolidate to be in favor of consolidation, an order shall at once be entered upon the minutes of each of said districts by the commissioners thereof, showing the result of said vote cast at said election, and setting forth therein the name of such consolidated district, and a copy of the minutes so entered duly certified by the commisisoners of each of said districts shall be filed, one each with the auditor and treasurer of the county within which said districts are located, and one with the clerk of the superior court of such county, to be entered and filed by the clerk of such court in the original proceedings establishing said districts, and a certified copy of such entry shall be transmitted to the secretary of state by the clerk of said court, and thereafter the territory embraced in said districts so consolidated shall be known and designated as “Consolidated Diking District No.....(here insert number) of..... (here insert name of county) County, Washington,” as provided in said order, and thereafter the said district shall have the same powers and duties as other diking districts organized under the diking laws of the State of Washington.

General diking law to apply.

Consolidation.

Designation.

SEC. 4. The diking commissioners of the districts constituting such consolidated district shall be the board of commissioners of such consolidated district and discharge the duties of such officers until the next general election for the election of diking commissioners, and until a board of commissioners for said consolidated district are elected and qualified, and thereafter the officers of said consoli-

Commissioners.

dated district shall be elected, qualified and perform the same duties as in case of other diking districts.

SEC. 5. That in case of such consolidation all indebtedness and outstanding obligations of the districts so consolidated, and all assessments levied and moneys collected and to be collected thereunder, shall remain unaffected by said proceedings for the consolidation of the same, and the payment of such indebtedness and obligations and the expenditure of moneys collected or to be collected under such previous assessments shall be made in the same manner, based upon the same assessments, and against and for the benefit of the same lands liable therefor prior to such consolidation, but the duties relating thereto shall be discharged by the commissioners of such consolidated district: *Provided, however,* That all assessments made for the future repair, improvement or maintenance of the diking system of said consolidated district shall be apportioned to and assessed against the land included in such consolidated district, in the same manner as though the same had been originally incorporated in one district, and in accordance with the general provisions of the diking laws relating thereto.

Passed the Senate February 3, 1913.

Passed the House February 24, 1913.

Approved by the Governor, March 7, 1913.

Indebtedness
unaffected
by consoli-
dation.

Future ob-
ligations on
whole
district.