

provisions of this subsection shall not apply to excess levies to be collected after calendar year 1990.

(6) For the purpose of subsection((s)) (1) (~~(and (2))~~) of this section, the superintendent of public instruction may grant local school districts authority to exceed the levy limitations imposed by said subsections: PROVIDED, That said limitations can only be exceeded by an amount that will insure local school districts the ability to raise a total excess levy dollar amount per annual average full time equivalent student which when combined with the basic education allocation is equal to but does not exceed (~~(one hundred and four percent for levies to be collected in 1979; and)~~) one hundred and six percent for levies to be collected in 1980 and thereafter of the previous school year's comparable dollars per annual average full time equivalent student: PROVIDED FURTHER, That for levies to be collected in 1980 and thereafter any school district receiving authority to exceed the levy limitation and whose enrollment is declining at a rate of at least four percent, or three hundred full time equivalent students, whichever is less, from the immediately preceding school year, may, in addition to the increase above, further increase its levy by an amount equal to fifty percent of the enrollment decline multiplied by the previous school year's comparable dollars per annual full time equivalent student. The provisions of this subsection (6) shall only apply to excess levies for collection prior to calendar year 1983.

(7) The superintendent of public instruction shall develop rules and regulations and inform school districts of the pertinent data necessary to carry out the provisions of this section.

Passed the House April 24, 1981.

Passed the Senate April 15, 1981.

Approved by the Governor May 14, 1981.

Filed in Office of Secretary of State May 14, 1981.

## CHAPTER 169

[House Bill No. 692]

### WATER, SEWER DISTRICTS—BOARD VACANCIES, FILLING OF

AN ACT Relating to certain district commissioners; amending section 3, chapter 18, Laws of 1959 as amended by section 14, chapter 188, Laws of 1975 1st ex. sess. and RCW 57.12-.020; and amending section 8, chapter 210, Laws of 1941 as last amended by section 9, chapter 250, Laws of 1953 and RCW 56.12.030.

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

Section 1. Section 3, chapter 18, Laws of 1959 as amended by section 14, chapter 188, Laws of 1975 1st ex. sess. and RCW 57.12.020 are each amended to read as follows:

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 percent of the qualified electors of the district, or twenty-five of the qualified electors of the district, whichever is lesser, 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 or vacancies on the board shall be filled by appointment by the remaining commissioner or commissioners until the next regular election for commissioners: PROVIDED, That if there are two vacancies on the board, one vacancy shall be filled by appointment by the remaining commissioner and the one remaining vacancy shall be filled by appointment by the then two commissioners and said appointed commissioners shall serve until the next regular election for commissioners: PROVIDED FURTHER, That if there is a vacancy of the entire board a new board may be appointed by the board of county commissioners.

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

Sec. 2. Section 8, chapter 210, Laws of 1941 as last amended by section 9, chapter 250, Laws of 1953 and RCW 56.12.030 are each amended to read as follows:

Nominations for the first board of commissioners to be elected at the election for the formation of the sewer district shall be by petition of fifty qualified electors or ten percent of the qualified electors of the district, whichever is the smaller. The petition shall be filed in the auditor's office of the county in which the district is located at least thirty days before the election. Thereafter candidates for the office of sewer commissioner shall file declarations of candidacy and their election shall be conducted as provided by the general elections laws. A vacancy or vacancies shall be filled by appointment by the remaining commissioner or commissioners until the next regular election for commissioners: PROVIDED, That if there are two vacancies on the board, one vacancy shall be filled by appointment by the remaining commissioner and the one remaining vacancy shall be filled by appointment by the then two commissioners and said appointed commissioners shall serve until the next regular election for commissioners: PROVIDED FURTHER, That if there is a vacancy of the entire board a new board may be appointed by the board of county commissioners. Any person residing in the district who is at the time of election a qualified voter may vote at any election held in the sewer district.

All expense of elections for the formation or reorganization of a sewer district shall be paid by the county in which the election is held and the expenditure is hereby declared to be for a county purpose, and the money paid

for that purpose shall be repaid to the county by the district if formed or reorganized.

Passed the House April 2, 1981.

Passed the Senate April 21, 1981.

Approved by the Governor May 14, 1981.

Filed in Office of Secretary of State May 14, 1981.

## CHAPTER 170

[House Bill No. 707]

### WATER SUPPLY FACILITIES (REFERENDUM 38)—1980 BOND ISSUE— APPROPRIATION

AN ACT Relating to domestic, municipal, and industrial water supply facilities; making an appropriation; and declaring an emergency.

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

NEW SECTION. Section 1. There is appropriated from the state and local improvements revolving account—water supply facilities (Referendum 38) of the general fund, to the department of social and health services for the biennium ending June 30, 1981, the sum of ten million dollars, or so much thereof as may be necessary, to administer and carry out the purposes of RCW 43.99E.020 and 43.99E.025. This appropriation is made out of the proceeds of bonds issued under chapter 43.99E RCW (Referendum 38).

NEW SECTION. 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 April 2, 1981.

Passed the Senate April 21, 1981.

Approved by the Governor May 14, 1981.

Filed in Office of Secretary of State May 14, 1981.

## CHAPTER 171

[House Bill No. 727]

### FOREST LAND FIRE PROTECTION—ASSESSMENT RATE

AN ACT Relating to assessment of forest lands for fire protection and suppression purposes; amending section 1, chapter 102, Laws of 1977 ex. sess. and RCW 76.04.360; and declaring an emergency.

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

Section 1. Section 1, chapter 102, Laws of 1977 ex. sess. and RCW 76.04.360 are each amended to read as follows:

If any owner of forest land neglects or fails to provide adequate fire protection therefor as required by RCW 76.04.350, the department shall