

CHAPTER 25.

[H. B. 30.]

WATER DISTRICTS.

AN Act relating to water districts; granting to such districts authority to incur indebtedness, to issue general obligation bonds and to levy taxes for the payment thereof in excess of the forty-mill tax limitation, providing the terms and provisions of such bonds, authorizing the levy of a tax of not to exceed two mills under certain conditions, amending section 57.20.010, R.C.W., repealing sections 57.20.104 and 57.20.106, R.C.W., and declaring an emergency.

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

SECTION 1. Section 57.16.020, R.C.W., as derived from section 2, chapter 128, Laws of 1939, is amended to read as follows: Amendment.

The comprehensive plan shall be adopted by resolution, which shall provide for the submission thereof at a general or special election specified in the resolution to the voters of the district. No expenditure for carrying on any part of the plan shall be made by the commissioners other than the necessary salaries of engineers, clerical, and office expenses and the cost of engineering, surveying, preparation, and collection of data necessary for making the general plan of improvements, until it has been ratified by a majority of the voters of the district voting thereon at the election held for that purpose. Notice of the election shall be given in accordance with the general election laws. If a majority of the votes favor the adoption of the plan, it shall thereupon be ratified and proclamation thereof made by the commission within ten days after the election. The commission may submit at the same election or 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 of any part or all of the compre- Adoption of comprehensive plan.

Proposition to incur general indebtedness.

How submitted to voters.

hensive plan. The proposition to incur indebtedness shall be submitted so as to enable the voters to vote for or against it independent of a vote on the plan, and if general indebtedness is to be incurred, 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 per cent of the voters in said water district who voted at the last preceding general state election.

[R.C.W. 57.16.020 was derived from Rem. Supp., § 11588, part (2nd paragraph).]

Amendment.

SEC. 2. Section 57.16.040, R.C.W., as derived from section 2, chapter 112, Laws of 1951, is amended to read as follows:

Plan for additions and betterments.

In the same manner as provided for the adoption and ratification of the original comprehensive plan, a plan providing for additions and betterments to the original plan may be adopted and ratified. Whenever an area has been annexed to a district after the adoption of the comprehensive plan, the commission shall have the right without further vote of the electors of the district to adopt a scheme for additions and betterments to the original comprehensive scheme to provide for the needs of the area annexed.

Scheme for additions for areas annexed.

General indebtedness for additions and betterments; excess levies.

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 comprehensive 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.

Revenue bonds for additions and betterments.

[Formerly Rem. Supp., § 11588, part (last 3 paragraphs).]

SEC. 3. Section 57.20.010, R.C.W., as derived from section 2, chapter 72, Laws of 1931, is amended to read as follows:

Amendment.

When general district indebtedness payable from annual tax levies to be made in excess of the forty-mill limitation has been authorized, the district may issue its general obligation bonds in payment thereof. The bonds shall be serial in form and maturity and numbered from one up consecutively and shall bear interest not to exceed six per cent per year payable semiannually, with interest coupons attached. The various annual maturities shall commence with the second year after the date of the issue, and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds, be met by an equal annual tax levy for the payment of the bonds and interest. Only the bond numbered one of any issue shall be of a denomination other than a multiple of one hundred dollars.

General obligation bonds; issuance, form, interest and maturity.

Bonds shall not be issued to run for a longer period than twenty years from the date of issue and shall as near as practicable be issued for a period which will be equivalent to the life of the improvement to be acquired by the issue of the bonds and shall be dated either July 1 or January 1.

Same;
signatures.

The bonds shall be signed by the president of the board and attested by the secretary, under the seal of the district. The interest coupons shall be signed by the facsimile signature of the president and attested by the facsimile signature of the secretary.

Same;
levy for
retirement
and interest.

There shall be levied by the officers or governing body charged with the duty of levying taxes, an annual levy in excess of the forty-mill tax limitation sufficient to meet the annual or semiannual payments of principal and interest on the bonds upon all taxable property within the district.

Same; sale.

The bonds shall be sold in such manner as the commissioners deem for the best interest of the district, and at a price not less than par and accrued interest.

[Am. R.R.S., § 11589.]

Amendment.

SEC. 4. Section 57.20.100, R.C.W., as derived from section 1, chapter 62, Laws of 1951, is amended to read as follows:

General levy
where fire
department
maintained.

A district may, in addition to the levies mentioned in sections 57.16.020, 57.16.040 and 57.20.010, levy a general tax on all property located in the district each year not to exceed two mills on the assessed valuation of the property where such water district maintains a fire department as authorized by sections 57.16.010 to 57.16.040, inclusive, R.C.W., but such levy shall not be made where any property within such water district lies within the boundaries of any fire protection district created under sections 52.04.010 to 52.04.160, inclusive, R.C.W. The taxes so levied shall be certified for collection as other general taxes, and the proceeds, when collected, shall be placed in such water district funds as the commissioners may direct and paid out on warrants issued for water district purposes.

[Formerly R.R.S., § 11595.]

[R.C.W. 57.16.020, 57.16.040, and 57.20.010 appear respectively as sections 1, 2 and 3 of this act; R.C.W. 57.16.010 was derived from Rem. Supp., § 11588, part (1st paragraph); R.C.W.

57.16.030 was derived from § 1, chapter 112, Laws '51; R.C.W. 52.04.010-52.04.160 were derived from Rem. Supp. 5654-101—5654-114 as amended.]

SEC. 5. Section 57.24.010, R.C.W., as derived from section 5, chapter 72, Laws of 1931, is amended to read as follows: Amendment.

The territory adjoining or in close proximity to and in the same county 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. Annexation of territory.

The county commissioners, upon receipt of a petition certified to contain a sufficient number of sig-

natures 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.

[R.C.W. 57.24.010 was derived from R.R.S., § 11593, part (to line 6, p. 770).]

Repeals.

SEC. 6. Section 57.20.104, R.C.W., as derived from section 4, chapter 107, Laws of 1951, and section 57.20.106, R.C.W., as derived from section 4, chapter 6, Laws First Extraordinary Session 1951, are hereby repealed.

Emergency.

SEC. 7. 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 August 31, 1951.

Passed the Senate September 1, 1951.

Approved by the Governor September 10, 1951.