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RESERVE COLLECTION
WASH. DOCUMENTS

STATE OF WASHINGTON

A PAMPHLET

CONTAINING

Copy of a Measure "Proposed by Initiative Petition"
and a Measure "Proposed to the Legislature and
Referred to the People," and Amendments
to the Constitution Proposed by
the Legislature

Including Initiative by Petition to the People No. 57;
Initiative to the Legislature No. 1, and submitting to the
People the Question of Amending Section 23 of Article
II of the State Constitution, Relating to Compensation
to be Paid Members of the Legislature; and of Amend-
ing Section 15 of Article II of the State Constitution,
Relating to Filling Vacancies in the Legislature; and of
Amending Article VII of the State Constitution, Relat-
ing to Classification of Property for Purposes of Revenue
and Taxation.

To be submitted to the Legal Voters of the State
of Washington for Their Approval or Rejection
at the GENERAL ELECTION to be held on
Tuesday, November 4, 1930

Compiled and Issued by

J. GRANT HINKLE, Secretary of State

Under and by Authority of Chapter 30,
Laws of 1917



OLYMPIA, WASH.

JAY THOMAS, PUBLIC PRINTER

1930

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Initiative Measure No. 57

BALLOT TITLE

"AN ACT enacted by the people of the State of Washington, relating to, and providing for the number, districts and apportionment of, the members of the Senate and House of Representatives of the State of Washington, and repealing all acts and parts of acts in conflict therewith."

AN ACT enacted by the people of the State of Washington, relating to, and providing for the number, district and apportionment of, the members of the Senate and House of Representatives of the State of Washington, and repealing all acts and parts of acts in conflict therewith.

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

SECTION 1. The people of the State of Washington, acting under and by virtue of the powers, rights and authority reserved under Article II, Section 1, Amendment 7, of the State Constitution, do hereby provide for the number of members of the Senate and House of Representatives of the State of Washington, the districts from which the members thereof shall be elected, and the apportionment of the members thereof, in accordance with the number of inhabitants, as herein set forth.

SEC. 2. The Senate shall consist of forty-six members, one of whom shall be elected from each of the forty-six senatorial districts herein established, and said senatorial districts are hereby created, constituted and numbered as follows:

1st. The counties of Okanogan and Douglas shall be the first senatorial district.

2nd. The counties of Stevens and Pend Oreille shall be the second senatorial district.

3rd. The precincts in Spokane county now constituting the third senatorial district under existing law shall be the third senatorial district.

4th. The precincts in Spokane county now constituting the fourth senatorial district under existing law shall be the fourth senatorial district.

5th. The precincts in Spokane coun-

ty now constituting the fifth senatorial district under existing law shall be the fifth senatorial district.

6th. The precincts in Spokane county now constituting the sixth senatorial district under existing law shall be the sixth senatorial district.

7th. The precincts in Spokane county now constituting the seventh senatorial district under existing law shall be the seventh senatorial district.

8th. The counties of Ferry, Lincoln and Adams shall be the eighth senatorial district.

9th. The county of Whitman, except the following precincts: Texas, Hooper, Hay, Pampa, La Crosse, Penawawa and Le Roy, shall be the ninth senatorial district.

10th. The counties of Asotin, Garfield and Columbia and the following precincts in Whitman county: Texas, Hooper, Hay, Pampa, La Crosse, Penawawa and Le Roy, shall be the tenth senatorial district.

11th. The county of Walla Walla shall be the eleventh senatorial district.

12th. The county of Chelan shall be the twelfth senatorial district.

13th. The counties of Grant and Kittitas shall be the thirteenth senatorial district.

14th. The following precincts in Yakima county: 1 to 30 inclusive (all of the city of Yakima), 35, 36, 37, 39, 41, 42, 44, 47, 48, 49, 51, 56, 58, 60, 66, 67, 68, 76, 77, 78, 79, 88, 89, 98, 104, 105, 106, 108, 111, 112 and 114, shall be the fourteenth senatorial district.

15th. The county of Yakima, except the precincts set out in senatorial district numbered the fourteenth herein, shall be the fifteenth senatorial district.

16th. The counties of Benton, Frank-

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lin, Skamania and Klickitat shall be the sixteenth senatorial district.

17th. The county of Clark shall be the seventeenth senatorial district.

18th. The counties of Cowlitz and Wahkiakum shall be the eighteenth senatorial district.

19th. The county of Pacific and the following precincts in Grays Harbor county: Westport, Grayland, Ocosta, Johns River, Western, Cosmopolis, Arctic, Melbourne, Vesta, Delezenne, Block House, Connie, Fords Prairie, Oakville, Porter and Malone, shall be the nineteenth senatorial district.

20th. The county of Lewis shall be the twentieth senatorial district.

21st. The county of Grays Harbor, except the precincts set out in senatorial district numbered the nineteenth herein, shall be the twenty-first senatorial district.

22nd. The county of Thurston shall be the twenty-second senatorial district.

23rd. The county of Kitsap shall be the twenty-third senatorial district.

24th. The counties of Mason, Jefferson and Clallam shall be the twenty-fourth senatorial district.

25th. The precincts in Pierce county now constituting the twenty-fifth senatorial district under existing law shall be the twenty-fifth senatorial district.

26th. The precincts in Pierce county now constituting the twenty-sixth senatorial district under existing law shall be the twenty-sixth senatorial district.

27th. The precincts in Pierce county now constituting the twenty-seventh senatorial district under existing law shall be the twenty-seventh senatorial district.

28th. The precincts in Pierce county now constituting the twenty-eighth senatorial district under existing law shall be the twenty-eighth senatorial district.

29th. The precincts in Pierce county now constituting the twenty-ninth senatorial district under existing law shall be the twenty-ninth senatorial district.

30th. The precincts in King county now constituting the thirtieth senatorial district under existing law, shall be the thirtieth senatorial district.

31st. The precincts in King county, except those in the city of Seattle, now constituting the thirty-first senatorial district under existing law, and the following precincts in the city of Se-

attle: 348, 352 to 367 inclusive, and 399 to 406 inclusive, shall be the thirty-first senatorial district.

32nd. The following precincts in the city of Seattle, in King county: 15 to 32 inclusive, 67, 68, 104, and 113 to 136 inclusive, shall be the thirty-second senatorial district.

33rd. The following precincts in the city of Seattle in King county: 302, 305, 306, 312 to 319 inclusive, 321 to 327 inclusive, 329 to 338 inclusive, 340 to 347 inclusive, and 349 to 351 inclusive, shall be the thirty-third senatorial district.

34th. The following precincts in the city of Seattle in King county: 309 to 311 inclusive, 320, 328, 339 and 368 to 398 inclusive, shall be the thirty-fourth senatorial district.

35th. The following precincts in the city of Seattle in King county: 233 to 238, inclusive, and 244 to 280 inclusive, shall be the thirty-fifth senatorial district.

36th. The following precincts in the city of Seattle, in King county: 144 to 179 inclusive, shall be the thirty-sixth senatorial district.

37th. The following precincts in the city of Seattle in King county: 216 to 229 inclusive, 239 to 243 inclusive, 281 to 301 inclusive, 303, 304, 307 and 308, shall be the thirty-seventh senatorial district.

38th. The county of Island, excepting therefrom Camano Island, and the precincts now constituting the thirty-eighth senatorial district in the county of Snohomish, under existing law, excepting therefrom the following precincts: Goldbar, Sultan, Sultan River, Wallace, Olney, Winter's Lake and Startup, shall be the thirty-eighth senatorial district.

39th. Camano Island of Island county, and the precincts in Snohomish county now constituting the thirty-ninth senatorial district under existing law, together with the following precincts: Goldbar, Sultan, Sultan River, Wallace, Olney, Winter's Lake and Startup, shall be the thirty-ninth senatorial district.

40th. The counties of Skagit and San Juan shall be the fortieth senatorial district.

41st. The precincts in Whatcom county now constituting the forty-first senatorial district under existing law shall be the forty-first senatorial district.

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42nd. The precincts in Whatcom county now constituting the forty-second senatorial district under existing law shall be the forty-second senatorial district.

43rd. The following precincts in the city of Seattle, in King county: 1 to 3 inclusive, 180 to 215 inclusive and 230 to 232 inclusive, shall be the forty-third senatorial district.

44th. The following precincts in the city of Seattle, in King county: 81 to 87 inclusive, 92 to 101 inclusive, 105 to 112 inclusive, and 137 to 143 inclusive, also the following precincts in King county outside the city of Seattle: Meadow Point, Broadview, Foy and Richmond, shall be the forty-fourth senatorial district.

45th. The following precincts in the city of Seattle, in King county: 36 to 44 inclusive, 49 to 53 inclusive, 58, 62 to 66 inclusive, 69 to 80 inclusive, 88 to 91 inclusive, 102 and 103, also the following precincts in King county outside the city of Seattle: Woodland, North Park, North Trunk, Oak Lake, Haller Lake and Greenwood, shall be the forty-fifth senatorial district.

46th. The precincts in King county and the city of Seattle now constituting the thirty-second senatorial district under existing law, except those precincts set out in senatorial districts numbered herein thirty-second, thirty-sixth, forty-third, forty-fourth and forty-fifth, shall be the forty-sixth senatorial district.

SEC. 3. The House of Representatives shall consist of ninety-nine members who shall be elected from forty-six representative districts herein established, and said representative districts are hereby created, constituted and numbered as follows:

1st. The counties of Okanogan and Douglas shall be the first representative district and be entitled to two representatives.

2nd. The counties of Stevens and Pend Oreille shall be the second representative district and be entitled to two representatives.

3rd. The precincts in Spokane county now constituting the second representative district shall be the third representative district and be entitled to two representatives.

4th. The precincts in Spokane county now constituting the third representative district shall be the fourth

representative district and be entitled to two representatives.

5th. The precincts in Spokane county now constituting the fourth representative district shall be the fifth representative district and be entitled to two representatives.

6th. The precincts in Spokane county now constituting the fifth representative district shall be the sixth representative district and be entitled to two representatives.

7th. The precincts in Spokane county now constituting the sixth representative district shall be the seventh representative district and be entitled to two representatives.

8th. The counties of Ferry, Lincoln and Adams shall be the eighth representative district and be entitled to two representatives.

9th. The county of Whitman, except the following precincts: Texas, Hooper, Hay, Pampa, La Crosse, Penawawa and Le Roy, shall be the ninth representative district and be entitled to two representatives.

10th. The counties of Asotin, Garfield and Columbia and the following precincts in Whitman county: Texas, Hooper, Hay, Pampa, La Crosse, Penawawa and Le Roy, shall be the tenth representative district and be entitled to two representatives.

11th. The county of Walla Walla shall be the eleventh representative district and be entitled to two representatives.

12th. The county of Chelan shall be the twelfth representative district and be entitled to two representatives.

13th. The counties of Grant and Kittitas shall be the thirteenth representative district and be entitled to two representatives.

14th. The following precincts in Yakima county: 1 to 30 inclusive (all of the city of Yakima), 35, 36, 37, 39, 41, 42, 44, 47, 48, 49, 51, 56, 58, 60, 66, 67, 68, 76, 77, 78, 79, 88, 89, 98, 104, 105, 106, 108, 111, 112 and 114, shall be the fourteenth representative district and be entitled to three representatives.

15th. The county of Yakima, except the precincts set out in representative district numbered the fourteenth herein, shall be the fifteenth representative district and be entitled to two representatives.

16th. The counties of Benton, Franklin, Skamania and Klickitat shall be

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the sixteenth representative district and be entitled to two representatives.

17th. The county of Clark shall be the seventeenth representative district and be entitled to three representatives.

18th. The counties of Cowlitz and Wahkiakum shall be the eighteenth representative district and be entitled to two representatives.

19th. The county of Pacific and the following precincts in Grays Harbor county: Westport, Grayland, Ocota, Johns River, Western, Cosmopolis, Arctic, Melbourne, Vesta, Delezenne, Block House, Connie, Fords Prairie, Oakville, Porter and Malone, shall be the nineteenth representative district, and be entitled to two representatives.

20th. The county of Lewis shall be the twentieth representative district and be entitled to three representatives.

21st. The county of Grays Harbor, except the precincts set out in representative district numbered the nineteenth herein, shall be the twenty-first representative district and be entitled to three representatives.

22nd. The county of Thurston shall be the twenty-second representative district and be entitled to two representatives.

23rd. The county of Kitsap shall be the twenty-third representative district and be entitled to two representatives.

24th. The counties of Mason, Jefferson and Clallam shall be the twenty-fourth representative district and be entitled to three representatives.

25th. The precincts in Pierce county now constituting the thirty-fifth representative district under existing law shall be the twenty-fifth representative district and be entitled to two representatives.

26th. The precincts in Pierce county now constituting the thirty-sixth representative district under existing law shall be the twenty-sixth representative district and be entitled to two representatives.

27th. The precincts in Pierce county now constituting the thirty-seventh representative district under existing law shall be the twenty-seventh representative district and be entitled to two representatives.

28th. The precincts in Pierce county now constituting the thirty-eighth representative district under existing law

shall be the twenty-eighth representative district and be entitled to two representatives.

29th. The precincts in Pierce county now constituting the thirty-ninth representative district under existing law shall be the twenty-ninth representative district and be entitled to two representatives.

30th. The precincts in King county now constituting the fortieth representative district under existing law shall be the thirtieth representative district and be entitled to two representatives.

31st. The precincts in King county, except those in the city of Seattle, now constituting the forty-first representative district under existing law, and the following precincts in the city of Seattle: 348, 352 to 367 inclusive, and 399 to 406 inclusive, shall be the thirty-first representative district and be entitled to two representatives.

32nd. The following precincts in the city of Seattle, in King county: 15 to 32 inclusive, 67, 68, 104, and 113 to 136 inclusive, shall be the thirty-second representative district and be entitled to two representatives.

33rd. The following precincts in the city of Seattle, in King county: 302, 305, 306, 312 to 319 inclusive, 321 to 327 inclusive, 329 to 338 inclusive, 340 to 347 inclusive, and 349 to 351 inclusive, shall be the thirty-third representative district and be entitled to two representatives.

34th. The following precincts in the city of Seattle, in King county: 309 to 311 inclusive, 320, 328, 339 and 368 to 398 inclusive, shall be the thirty-fourth representative district and be entitled to two representatives.

35th. The following precincts in the city of Seattle, in King county: 233 to 238 inclusive, and 244 to 280 inclusive, shall be the thirty-fifth representative district and be entitled to two representatives.

36th. The following precincts in the city of Seattle, in King county: 144 to 179 inclusive, shall be the thirty-sixth representative district and be entitled to two representatives.

37th. The following precincts in the city of Seattle, in King county: 216 to 229 inclusive, 239 to 243 inclusive, 281 to 301 inclusive, 303, 304, 307 and 308, shall be the thirty-seventh representative district and be entitled to two representatives.

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38th. The county of Island, excepting therefrom Camano Island and the precincts now constituting the forty-eighth representative district in the county of Snohomish under existing law, excepting therefrom the following precincts: Goldbar, Sultan, Sultan River, Wallace, Olney, Winter's Lake and Startup, shall be the thirty-eighth representative district and be entitled to three representatives.

39th. Camano Island of Island county, and the precincts in Snohomish county now constituting the forty-ninth representative district under existing law, together with the following precincts: Goldbar, Sultan, Sultan River, Wallace, Olney, Winter's Lake and Startup, shall be the thirty-ninth representative district and be entitled to two representatives.

40th. The counties of Skagit and San Juan shall be the fortieth representative district and be entitled to three representatives.

41st. The precincts in Whatcom county now constituting the fifty-third representative district under existing law shall be the forty-first representative district and be entitled to two representatives.

42nd. The precincts in Whatcom county now constituting the fifty-fourth representative district under existing law shall be the forty-second representative district and be entitled to two representatives.

43rd. The following precincts in the city of Seattle, in King county: 1 to 3 inclusive, 180 to 215 inclusive, and 230 to 232 inclusive, shall be the forty-third representative district and be entitled to two representatives.

44th. The following precincts in the city of Seattle, in King county: 81 to 87 inclusive, 92 to 101 inclusive, 105 to 112 inclusive, and 137 to 143 inclusive, also the following precincts in King county outside the city of Seattle: Meadow Point, Broadview, Foy and Richmond, shall be the forty-fourth representative district and be entitled to two representatives.

45th. The following precincts in the city of Seattle, in King county: 36 to 44 inclusive, 49 to 53 inclusive, 58, 62 to 66 inclusive, 69 to 80 inclusive, 88 to 91 inclusive, 102 and 103, also the following precincts in King county outside the city of Seattle: Woodland, North Park, North Trunk, Oak Lake,

Haller Lake and Greenwood, shall be the forty-fifth representative district and be entitled to two representatives.

46th. The precincts in King county and the city of Seattle now constituting the forty-second representative district under existing law, except those precincts set out in representative districts numbered herein thirty-second, thirty-sixth, forty-third, forty-fourth and forty-fifth, shall be the forty-sixth representative district and be entitled to two representatives.

SEC. 4. At the general election to be held on the first Tuesday after the first Monday in November, 1932, and every four years thereafter, a senator shall be elected in each of the following senatorial districts: the 1st, 3rd, 4th, 5th, 9th, 10th, 11th, 12th, 14th, 16th, 17th, 18th, 19th, 20th, 22nd, 23rd, 24th, 25th, 27th, 28th, 39th, 40th and 41st, as numbered and created in Sec. 2 of this Act, who shall hold office for a term of four years. At the general election to be held on the first Tuesday after the first Monday in November, 1932, a senator shall be elected in each of the following senatorial districts: 8th, 13th, 15th, 33rd, 34th, 35th, 36th, 38th, 43rd, 44th, 45th and 46th, as numbered and created in Sec. 2 of this Act, who shall hold office for a term of two years; and thereafter the term of office of the senator elected for said senatorial district shall be four years. At the general election to be held on the first Tuesday after the first Monday in November, 1934, a senator shall be elected in each of the following senatorial districts: 2nd, 6th, 7th, 21st, 26th, 29th, 30th, 31st, 32nd, 37th and 42nd, as numbered and created in Sec. 2 of this Act, who shall hold office for a term of four years; and thereafter the term of office of the senator elected for said senatorial district shall be four years. All senators elected at the general election to be held on the first Tuesday after the first Monday in November, 1930, shall hold office until the second Monday in January, 1933, except the senators elected from senatorial districts numbered 2nd, 6th, 7th, 21st, 26th, 29th, 30th, 31st, 32nd, 37th and 42nd, who shall hold office until the second Monday in January, 1935.

SEC. 5. The representatives provided for in this Act shall be elected at the general election to be held on the first Tuesday after the first Mon-

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day in November, 1932, and every two years thereafter.

SEC. 6. The term of office of all senators and representatives elected under the provisions of this Act shall commence on the second Monday in January following the date of his election.

SEC. 7. Any precinct not specifically mentioned or included within the boundaries of any senatorial and representative district under this Act, and which is completely surrounded by territory embraced within a particular senatorial and representative district, shall be and become a part of such senatorial and representative district; and in case any such precinct is not completely surrounded by territory embraced within a particular senatorial and representative district, the pre-

cinct shall be and become a part of the senatorial and representative district having the smallest number of electors and having territory adjoining or contiguous to such precinct in the same county in which such precinct is located. Any precinct as constituted and existing at the time this Act is filed with the Secretary of State shall continue as such precinct for the purposes of this Act, except that changes may be made, by the proper authorities, in the boundaries of precincts, or new precincts created, which do not change the territory of any precinct as constituted at the time of filing this Act from one senatorial and representative district, as created and established by this Act, to another.

SEC. 8. All acts and parts of acts in conflict herewith are hereby repealed.

STATE OF WASHINGTON—ss.

Filed in the office of Secretary of State, July 3, 1930.

J. GRANT HINKLE, *Secretary of State*.

Initiative to the Legislature No. 1

BALLOT TITLE

"AN ACT authorizing the establishment of public utility districts; providing for the construction, purchase, condemnation, acquisition, regulation, maintenance and operation thereby of plants, properties and facilities for the development and distribution of water and electricity for all purposes; authorizing such districts to levy taxes and to create local assessment districts for the accomplishment of said purposes, and defining the powers and duties of such public utility districts and of certain officers in connection therewith."

AN ACT relating to and authorizing the establishment of public utility districts, and the consolidation thereof and annexation thereto; providing for the construction, purchase, condemnation and purchase, acquisition, maintenance, conducting, operation, development and regulation by such districts of certain kinds of public utilities; providing methods of payment therefor; and providing for the creation of local assessment districts by, and defining, prescribing and regulating the powers, duties and government of, such utility districts.

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

SECTION 1. The purpose of this act is to authorize the establishment of public utility districts to conserve the water and power resources of the State of Washington for the benefit of the people thereof, and to supply public utility service, including water and electricity for all uses.

SEC. 2. Municipal corporations, to be known as public utility districts, are hereby authorized for the purposes of this act and may be established within the limits of the State of Washington, as provided herein.

SEC. 3. At any general election the Board of County Commissioners of any county in this state may, or on petition of ten (10%) per cent of the qualified electors of such county, based on the total vote cast in the last general

county election, shall, by resolution, submit to the voters of such county the proposition of creating a public utility district which shall be coextensive with the limits of such county as now or hereafter established. Such petition shall be filed with the County Auditor, who shall within fifteen days examine the signatures thereof and certify to the sufficiency or insufficiency thereof, and for such purpose the County Auditor shall have access to all registration books in the possession of election officers within such county. If such petition be found to be insufficient, it shall be returned to the persons filing the same, who may amend or add names thereto for ten days, when the same shall be returned to the County Auditor, who shall have an additional fifteen days to examine the same and attach his certificate thereto. No person having signed such petition shall be allowed to withdraw his name therefrom after the filing of the same with the County Auditor. Whenever such petition shall be certified to as sufficient, the County Auditor shall forthwith transmit the same, together with his certificate of sufficiency attached thereto, to the Board of County Commissioners, who shall thereupon immediately transmit such proposition to the Election Board of such county, and it shall be the duty of such county election board to submit such proposition to the voters at the next general election. The notice of the election shall state the boundaries of the proposed public utility district and the object of such election.

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and shall in other respects conform to the requirements of the general laws of the State of Washington, governing the time and manner of holding elections. In submitting the said question to the voters for their approval or rejection, the proposition shall be expressed on said ballot substantially in the following terms:

Public Utility District No..... YES ☐

Public Utility District No..... NO ☐

Any petition for the formation of a public utility district may describe a less area than the entire county in which the petition is filed, the boundaries of which shall follow the then existing precinct boundaries and not divide any voting precinct; and in the event that such a petition is filed the Board of County Commissioners shall fix a date for a hearing on such petition, and shall publish the petition, without the signatures thereto appended, for two weeks prior to the date of the hearing, together with a notice stating the time of the meeting when such petition will be heard. Such publication, and all other publications required by this act, shall be in a newspaper published in the proposed or established public utility district, or, if there be no such newspaper, then in a newspaper published in the county in which such district is situated, and of general circulation in such county. The hearing on such petition may be adjourned from time to time, not exceeding four weeks in all. If upon the final hearing the Board of County Commissioners shall find that any lands have been unjustly or improperly included within the proposed public utility district and will not be benefited by inclusion therein, the said board shall change and fix the boundary lines in such manner as it shall deem reasonable and just and conducive to the public welfare and convenience, and make and enter an order establishing and defining the boundary lines of the proposed public utility district: *Provided*, That no lands shall be included within the boundaries so fixed lying outside the boundaries described in the petition, except upon the written request of the owners of such lands. Thereafter the same procedure shall be followed as prescribed in this act for the formation of a

public utility district including an entire county, except that the petition and election shall be confined solely to the lesser public utility district.

SEC. 4. Within five days after such election, the Election Board of the county shall canvass the returns, and if at such election a majority of the voters voting upon such proposition shall vote in favor of the formation of such district, the Election Board shall so declare in its canvass of the returns of such election, and such public utility district shall then be and become a municipal corporation of the State of Washington, and the name of such public utility district shall be Public Utility District No..... ofCounty. The powers of the public utility district shall be exercised through a commission consisting of three members, one from each of the three county commissioner districts of the county in which the public utility district is located, when the public utility district is coextensive with the limits of such county. When the public utility district comprises only a portion of the county, three commissioner districts, numbered consecutively, having approximately equal population and boundaries, following ward and precinct lines, as far as practicable, shall be described in the petition for the formation of the public utility district, and one commissioner shall be elected from each of said commissioner districts. No person shall be eligible to hold the office of Public Utility District Commissioner unless he is a qualified voter and a freeholder within such public utility district, and is and has been a resident for a period of three years, except as hereinafter provided, of the commissioner district from which he is elected.

Public Utility District Commissioners shall hold office for the term of three (3) years and until their respective successors are elected and qualified, each term to commence on the fourth Tuesday in March in each year in Class A counties and counties of the first class, and in all other counties on the second Monday in January in each year, following the election thereto. At the same election at which the proposition is submitted to the voters as to whether a public utility district shall be formed, three (3) commissioners shall be elected to

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hold office, respectively, for the term of one, two and three years. All candidates shall be voted upon by the entire public utility district, and the candidate residing in commissioner district number one receiving the highest number of votes in the public utility district shall hold office for the term of three (3) years; and the candidate residing in commissioner district number two receiving the highest number of votes in the public utility district shall hold office for the term of two (2) years, and the candidate residing in commissioner district number three receiving the highest number of votes in the public utility district shall hold office for the term of one (1) year, each of said terms to date from the times specified in this section following the election, but also to include the period intervening between the election and the beginning of the regular terms specified in this section. All expenses of elections for the formation of such public utility districts shall be paid by the county holding such election, 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 public utility district, if formed. Nominations for Public Utility District Commissioners shall be by petition signed by one hundred (100) qualified electors of the public utility district to be filed in the office of the County Auditor not more than sixty (60) days, and not less than thirty (30) days prior to the day of such election: *Provided, however,* That in any public utility district having a population of less than four thousand, such nominating petition shall be signed by a number of qualified electors equaling ten (10) per cent or more of the qualified electors of the public utility district. A vacancy in the office of public utility district commissioner shall occur by death, resignation, removal, conviction of a felony, non-attendance at meetings of the public utility district commission for a period of sixty (60) days unless excused by the public utility district commission, by any statutory disqualification, or by any permanent disability preventing the proper discharge of his duty. In the event of a vacancy in said office such vacancy shall be filled at the next general election, the vacancy in the interim to be filled by ap-

pointment by the remaining commissioners. If there should be at the same time such number of vacancies that there are not in office a majority of the full number of commissioners fixed by law, a special election shall be called by the county election board upon the request of the remainder, or, that failing, by the county election board, such election to be held not more than forty (40) days after the occurring of such vacancies.

A majority of the persons holding the office of public utility district commissioner at any time shall constitute a quorum of the commission for the transaction of business, and the concurrence of a majority of the persons holding such office at the time shall be necessary and shall be sufficient for the passage of any resolution, but no business shall be transacted unless there are in office at least a majority of the full number of commissioners fixed by law.

The boundaries of the commissioners' districts shall not be changed oftener than once in four (4) years, and only when all members of the commission are present: *Provided,* That any proposed change therein must be made by resolution and notice of the time of a public hearing thereon shall be published for two (2) weeks prior thereto: *And provided further,* That upon a referendum petition signed by six per cent (6%) of the qualified voters of the public utility district being filed with the clerk, the commission shall submit such proposed change to the voters of the public utility district for their approval or rejection. The checking of said petition as to its sufficiency or insufficiency shall be governed by the provisions in this act relating thereto.

SEC. 5. The term general election as used in this act shall be held and construed to mean biennial general elections at which state and county officers are elected, and also public utility district elections for the election of commissioners. Public utility district elections for the election of commissioners held in Class A counties and counties of the first class shall be held on the second Tuesday in March in each year, and in all other counties on the first Saturday in December in each year. The election board of the county shall give notice of all elections

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held under the provisions of this act for the time and in the manner and form provided by law for city, school district and port district elections. Whenever in the judgment of the election board of the county an emergency exists, and such board is requested so to do by a resolution of the public utility district commission, it may call a special election at any time in such public utility district, and at such special election said board may combine, unite or divide precincts for the purpose of holding such special election, and every such special election so called shall be conducted and notice thereof given in the manner provided by law.

The chairman of the board of county commissioners, the county auditor and the prosecuting attorney of the county in which the election is held shall constitute an election board for all elections held under the provisions of this act; and it shall be the duty of such board to provide polling places for holding elections under this act, to appoint the election officers, to provide their compensation, to provide ballot boxes, and ballots or voting machines, poll books and tally sheets, and deliver them to the election officers at the polling places, to publish and post notices of calling such elections in the manner provided by law, and to apportion to the public utility district its share of the expense of holding such election.

The election officers appointed by the election board of the county shall conduct such elections and shall receive and deposit ballots cast thereat in a separate ballot box, and shall count said ballots and make returns thereof to the election board of the county, which board shall constitute a canvassing board for all elections held under the provisions of this act. The manner of conducting and voting at elections under this act, opening and closing of polls, keeping of poll lists, canvassing the votes, declaring the result, and certifying the returns, shall be the same as provided by the general election laws governing the election of state and county officers, except as otherwise provided in this act.

The public utility district commission shall certify to the election board a list of offices to be filled at any election to be held under the provisions

of this act, and such commission, if it desires to submit to the voters of such public utility district any proposition for their approval or adoption, or rejection, at any election held under the provisions of this act, shall require the secretary of such commission to certify the same to the election board at the time and in the manner and form now provided by law for certifying propositions to said board by the governing boards of cities, towns and port districts.

SEC. 6. All public utility districts organized under the provisions of this act shall have power:

(a) To make a survey of hydro-electric power, irrigation and domestic water supply resources within or without the district, and to compile comprehensive maps and plans showing the territory that can be most economically served by the various resources and utilities, the natural order in which they should be developed, and how they may be joined and coordinated to make a complete and systematic whole;

(b) To construct, condemn and purchase, purchase, acquire, lease, add to, maintain, operate, develop and regulate all lands, property, property rights, water, water rights, dams, ditches, flumes, aqueducts, pipes and pipe lines, water power, leases, easements, rights of way, franchises, plants, plant facilities and systems for generating electric energy by water power, steam or other methods, plant, plant facilities and systems for developing, conserving and distributing water for domestic use and irrigation, buildings, structures, poles and pole lines, and cables and conduits and any and all other facilities, and to exercise the right of eminent domain to effectuate the foregoing purposes or for the acquisition and damaging of the same or property of any kind appurtenant thereto, and for the purpose of acquiring the right to make physical connection with plants and plant facilities of any and all persons, corporations and municipalities, and such right of eminent domain shall be exercised and instituted pursuant to resolution of the commission and conducted in the same manner and by the same procedure as is or may be provided by law for the exercise of the power of eminent domain by incor-

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porated cities and towns of the State of Washington in the acquisition of like property and property rights. It shall be no defense to a condemnation proceeding hereunder that a portion of the electric current generated or sold by such public utility district will be applied to private purposes provided the principal uses intended are public: *Provided*, That no public utility owned by a city or town shall be condemned hereunder, and none shall be purchased without submission of the question to the voters of the utility district. In any condemnation proceeding under this act, the court shall submit to the jury the values placed upon such property by the county assessor or other taxing authority, for taxation purposes, and in respect to property, plants and facilities of persons and corporations using public highways for the furnishing of public service without franchises, shall consider in determining the value thereof the fact that such property, plants and facilities are subject to be removed from such highways by reason of being so operated without such franchises.

(c) To construct, purchase, condemn and purchase, acquire, add to, maintain, conduct and operate water works and irrigation plants and systems, within or without its limits, for the purpose of furnishing such public utility district, and the inhabitants thereof, and any other persons, including public and private corporations within or without its limits with an ample supply of water for all uses and purposes, public and private, including water power, domestic use and irrigation, with full and exclusive authority to sell and regulate and control the use, distribution and price thereof.

(d) To purchase, within or without its limits, electric current for sale and distribution within or without its limits, and to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate works, plants, transmission and distribution lines and facilities for generating electric current, operated either by water power, steam or other methods, within or without its limits, for the purpose of furnishing said public utility district, and the inhabitants thereof and any other persons, including public and private corporations, within or without its limits, with electric cur-

rent for all uses, with full and exclusive authority to sell and regulate and control the use, distribution, rates, service, charges and price thereof free from the jurisdiction and control of the director of public works and division of public utilities, in all things, together with the right to purchase, handle, sell or lease motors, lamps, transformers and any and all other kinds of equipment and accessories of every nature and kind whatsoever necessary and convenient for the use, distribution and sale thereof: *Provided*, That the commission shall not supply water to a privately owned utility for the production of electric energy, and may supply, directly or indirectly, to privately owned public utilities which sell electric energy or water to the public, any of the surplus electric energy or water under its control, and contracts therefor shall not extend over a longer period than three (3) years: *Provided*, That it must at all times first make adequate provision for the needs of the district, both actual and prospective.

(e) And for the purposes aforesaid it shall be lawful for any public utility district so organized to take, condemn and purchase, purchase, and acquire any and all public and private property, franchises and property rights, including state, county and school lands, and property and littoral and water rights, for any of the purposes aforesaid, and for railroads, tunnels, pipe lines, aqueducts, transmission lines, and any and all other facilities necessary or convenient, and, in connection with the construction, maintenance or operation, of any such utility or utilities, to acquire by purchase or condemnation and purchase the right to divert, take, retain and impound and use water from or in any lake or watercourse, regardless of whether such lake or watercourse or the water therein be public or private, navigable or non-navigable, or held, owned or used by the state, or any subdivision thereof, or by any person or corporation for any public or private use, proprietary or governmental, or any under-flowing water within the state; and such public utility district is hereby authorized and empowered to erect and build, within or without its limits, dams or other works across any river or watercourse, or across or

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at the outlet of any lake, up to and above high water mark; and, for the purpose of constructing or laying aqueducts or pipe lines, dams or waterworks or other necessary structures in storing, retaining and distributing water as above provided, or for any of the purposes provided for by this act, such public utility district shall have the right to occupy and use the beds and shores up to the high water mark of any such lake, river or watercourse and to acquire by purchase or by condemnation and purchase, or otherwise, any water, water rights, easements or privileges named in this act or necessary for any of said purposes, and any such public utility district shall have the right to acquire by purchase or condemnation and purchase, or otherwise, any lands, property or privileges necessary to be had to protect the water supply of such public utility district from pollution: *Provided*, That should private property be necessary for any such purposes, or for storing water above high water mark, such public utility district may condemn and purchase or purchase and acquire such private property. Such public utility district shall have the power to build and maintain inter-tie lines connecting its power plant and distribution system with the power plant and distribution system owned by any other public utility district, or municipal corporation, or to connect with the power plants and distribution systems owned by any municipal corporation in the district, and from any such inter-tie line to sell electric energy to any individual, or public utility district, or any city or town, or other corporations, public or private, and, by means of transmission or pole lines, to conduct electric energy from the place of production to the point of distribution, and to construct and lay said aqueducts, pipe or pole lines, and transmission lines along and upon public highways, roads and streets, and to condemn and purchase, purchase or acquire, lands, franchises and rights of way necessary for the same.

(f) To contract indebtedness or borrow money for corporate purposes on the credit of the corporation or the revenues of the public utilities thereof, and to issue general obligation or utility bonds therefor, bearing interest at a rate not exceeding six per cent

per annum, payable semi-annually, said bonds not to be sold for less than par and accrued interest; to purchase with surplus funds, local utility district bonds of districts created by the commission and sell the same giving preference to residents of the district, and to create a revolving fund to insure the prompt payment of all local utility district bonds.

(g) To raise revenue by the levy of an annual tax on all taxable property within such public utility district not exceeding two mills in any one year, exclusive of interest and redemption for general obligation bonds. The Commission shall prepare a proposed budget of the contemplated financial transactions for the ensuing year and file the same in the records of the Commission on or before the first Monday in September. Notice of the filing of said proposed budget and the date and place of hearing on the same shall be published for at least two consecutive weeks in a newspaper printed and of general circulation in said county. On the first Monday in October, the Commission shall hold a public hearing on said proposed budget at which any taxpayer may appear and be heard against the whole or any part of the proposed budget. Upon the conclusion of said hearing, the Commission shall, by resolution, adopt the budget as finally determined, and fix the final amount of expenditures for the ensuing year. Taxes levied by the Commission shall be certified to and collected by the proper county officer of the county in which such public utility district is located in the same manner as is or may be provided by law for the certification and collection of Port District taxes. The Commission is authorized, prior to the receipt of taxes raised by levy, to borrow money or issue warrants of the district in anticipation of the revenue to be derived by such district from the levy of taxes for the purpose of such district, and such warrants shall be redeemed from the first money available from such taxes when collected, and such warrants shall not exceed the anticipated revenues of one year, and shall bear interest at a rate of not to exceed six per cent per annum.

(h) To enter into any contract with the United States Government, or any state, municipality or other utility

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district, or any department of those governing bodies, for carrying out any of the powers authorized by this act.

(i) To acquire by gift, devise, bequest, lease or purchase, real and personal property necessary or convenient for the purposes of the district or any local district therein.

(j) To make contracts, employ engineers, attorneys and other technical or professional assistance; to print and publish information or literature and to do all other things necessary to carry out the provisions of this act.

The public utility district commission shall appoint a manager, who shall be appointed for an indefinite time and be removable at the will of the Commission. Appointments and removals shall be by resolution, introduced at a regular meeting and adopted at a subsequent regular meeting by a majority vote. He shall receive such salary as the Commission shall fix by resolution.

The manager shall be the chief administrative officer of the public utility district, and shall have control of administrative functions of the district, and shall be responsible to the Commission for the efficient administration of all the affairs of the district placed in his charge. He shall be an experienced executive with administrative ability. In case of the absence or temporary disability of the manager, he shall, with the approval of the president of the Commission, designate some competent person as acting manager.

The manager shall be entitled to attend all meetings of the Commission and its committees, and to take part in the discussion of any matters pertaining to the duties of his department, but shall have no vote.

The Public utility district Manager shall have power, and it shall be his duty:

To carry out the orders of the Commission, and to see that all the laws of the state pertaining to matters within the functions of his department are duly enforced.

To keep the Commission fully advised as to the financial condition and needs of the district. To prepare, each year, an estimate for the ensuing fiscal year of the probable expenses of his department, and to recommend to the

Commission what development work should be undertaken, and what extensions and additions, if any, should be made, during the ensuing fiscal year, with an estimate of the costs of such development work, extensions and additions. To certify to the Commission all bills, allowances and payrolls, including claims due contractors of public works. To recommend to the Commission salaries of the employes of his office, and a scale of salaries or wages to be paid for the different classes of service required by the district. To hire and discharge clerks, laborers and other employes under his direction. To perform such other duties as may be imposed upon him by resolution of the Commission. It shall be unlawful for him to make any contribution of money in aid of or in opposition to the election of any candidate for public utility commissioner or to advocate or oppose any such election.

(k) To sue and be sued in any court of competent jurisdiction: *Provided*, That all suits against the public utility district shall be brought in the county in which the public utility district is located. No suit for damages shall be maintained against such public utility district except on the basis of a claim therefor filed with the Commission of such district complying in all respects with the terms and requirements for claims for damages filed pursuant to general law against cities of the second class.

(l) By resolution to establish and define the boundaries of local assessment districts to be known as Local Utility District No. for the distribution, under the general supervision and control of the Commission, of water for domestic use and (or) irrigation and (or) electric energy, and in like manner to provide for the purchasing, or otherwise acquiring, or constructing and equipping distribution systems for said purposes and for extensions and betterments thereof, and to levy and collect in accordance with the special benefits conferred thereon, special assessments and reassessments on property specially benefited thereby, for paying the cost and expense of the same, or any portions thereof, as herein provided, and to issue local improvement bonds and (or) warrants to be repaid wholly or

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in part by collection of local improvement assessments.

The Commission shall, by resolution, establish the method of procedure in all matters relating to local utility districts. Any public utility district may determine by resolution what work shall be done or improvements made at the expense, in whole or in part of the property specially benefited thereby; and to adopt and provide the manner, machinery and proceedings in any way relating to the making and collecting assessments therefor in pursuance of this act. Except as herein otherwise provided, or as may hereafter be set forth by resolution, all matters and proceedings relating to the local utility district, the levying and collection of assessments, the issuance and redemption of local improvement warrants and bonds, and the enforcement of local assessment liens hereunder, shall be governed, as nearly as may be, by the laws relating to local improvements for cities of the first class: *Provided*, That no protest against a local utility district improvement shall be received by the Commission after twelve o'clock noon of the day set for hearing.

Any improvement authorized by this act may be ordered only by resolution of the Commission either upon petition or resolution therefor. Whenever a petition, signed by ten per cent of the owners of land in the district to be therein described, shall be filed with the Commission, asking that the plan or improvement therein set forth be adopted and ordered, and defining the boundaries of a local improvement district to be assessed in whole or in part to pay the cost thereof, it shall be the duty of the Commission to fix the date of hearing on such petition, and give not less than two (2) weeks notice thereof by publication. The Commission may, in its discretion, deny such petition or order the improvement unless a majority of the owners of lands in said district shall file prior to 12:00 o'clock noon of the day of said hearing with Secretary thereof a petition protesting against said improvement; and if the Commission shall order the improvement, then it may alter the boundaries of such proposed district and prepare and adopt detail plans of any such local improvement, declare the estimated cost thereof, what pro-

portion of such cost shall be borne by such local improvement district, and what proportion of the cost, if any, shall be borne by the entire public utility district. Whenever such a petition signed by a majority of the landowners in such a proposed local improvement district shall be filed with the Commission, asking that the improvement therein described be ordered, the Commission shall forthwith fix a date for hearing on said petition, after which the Commission must, by resolution, order such improvement, and may alter the boundaries of such proposed district, prepare and adopt such improvement, prepare and adopt detail plans thereof, declare the estimated cost thereof, what proportion of such cost shall be borne by such proposed local improvement district, and what proportion of the cost, if any, shall be borne by the entire public utility district, and provide the general funds thereof to be applied thereto, if any, acquire all lands and other properties therefor, pay all damages caused thereby, and commence in the name of the public utility district such eminent domain proceedings and supplemental assessments or re-assessment proceedings to pay all eminent domain awards as may be necessary to entitle said district to proceed with such work, and shall thereafter proceed with such work, and shall make 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 such local improvement district in proportion to the special benefits to be derived by the property in such local improvement district from such improvement. Before the approval of such roll, a notice shall be published ten (10) days stating that such roll is on file and open to inspection in the office of Secretary of the district, and fixing a time not less than fifteen (15) nor more than thirty (30) days from the date of the first publication of such notice, within which protests must be filed with Secretary of said district against any assessments shown thereon, and fixing a time when a hearing shall be held by said Commission on said protests. After such hearing the Commission may alter any and all assessments shown on such roll and may then, by resolution, approve the same,

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but if any assessment be raised, a new notice, similar to such first notice, shall be given, and a hearing had thereon, after which final approval of such roll may be made by the Commission. Any person feeling aggrieved by such assessments shall perfect an appeal to the Superior Court of such county within ten (10) days after such approval in the manner now provided by law for appeals from assessments levied by cities of the first class in this state. Engineering, office and other expenses necessary or incident to said improvement shall be borne by the public utility district: *Provided*, That where any municipal corporation included within such public utility district already owns or operates a utility of like character for which such assessments are levied hereunder, then all such engineering and other expenses mentioned above shall be borne by the local assessment district.

Whenever any improvement shall be ordered hereunder, payment for which shall be made in part from assessments against property specially benefited, not more than fifty per cent (50%) of the cost thereof shall ever be borne by the entire public utility district, nor shall any sum be contributed by it to any improvement acquired or constructed with or by any other body, exceed such amount, unless a majority of the electors of such district shall consent to or ratify the making of such expenditure.

(m) It is, and shall be lawful for any public utility district organized hereunder to sell and convey all the works, plants, systems, utilities and properties authorized by this act and owned by it after proceedings had as required by Sections 9512, 9513 and 9514 of Remington's Compiled Statutes of Washington: *Provided*, That three-fifths (3/5) of the voters voting for such sale, in lieu of a majority, shall be necessary. Public utility districts shall be held to be municipal corporations within the meaning of said sections and the commission of such public utility district shall be held to be the legislative body within the meaning of said sections, and the president and secretary of such district shall have the same powers and perform the same duties as the mayor and city clerk referred to in said sections,

and the resolutions of the public utility districts shall be held to mean ordinance within the meaning of said sections.

(n) The Commission of each public utility district may adopt general resolutions to carry out the purposes, objects and provisions of this act.

SEC. 7. Whenever the Commission shall deem it advisable that the public utility district purchase, purchase and condemn, acquire, or construct any such public utility, or make any additions or betterments thereto, or extensions thereof, the Commission shall provide therefor by resolution, which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof, as near as may be, and specify whether general or utility indebtedness is to be incurred, the amount of such indebtedness, the amount of interest and the time in which all general bonds (if any) shall be paid, not to exceed thirty years. In the event the proposed general indebtedness to be incurred will bring the indebtedness of the public utility district to an amount exceeding one and one-half per cent (1½%) of the taxable property of the public utility district, the proposition of incurring such indebtedness and the proposed plan or system shall be submitted to the qualified electors of said public utility district for their assent at the next general election held in such public utility district.

Whenever the Commission (or a majority of the qualified voters of such public utility district, voting at said election, when it is necessary to submit the same to said voters) shall have adopted a system or plan for any such public utility, as aforesaid, and shall have authorized indebtedness therefor by a three-fifths vote of the qualified voters of such district, voting at said election, general or public utility bonds may be used as hereinafter provided. Said general bonds shall be serial in form and maturity and numbered from one upwards consecutively. The various annual maturities shall commence not later than the tenth year after the date of issue of such bonds. The resolution authorizing the issuance of the bonds shall fix the rate of interest the bonds shall bear, said interest not to exceed six per cent (6%), and the place and date of the payment of both

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principal and interest. The bonds shall be signed by the President of the Commission, attested by the Secretary of the Commission, and the seal of the public utility district shall be affixed to each bond but not to the coupon: *Provided, however,* That said coupon, in lieu of being so signed, may have printed thereon a facsimile of the signature of such officers. The principal and interest of such general bonds shall be paid from the revenue of such public utility district after deducting costs of maintenance, operation, and expenses of the public utility district, and any deficit in the payment of principal and interest of said general bonds shall be paid by levying each year a tax upon the taxable property within said district sufficient to pay said interest and principal of said bonds, which tax shall be due and collectible as any other tax. Said bonds shall be sold in such manner as the Commission shall deem for the best interest of the district. All bonds and warrants issued under the authority of this act shall be legal securities, which may be used by any bank or trust company for deposit with the State Treasurer, or any County or City Treasurer, as security for deposits, in lieu of a surety bond, under any law relating to deposits of public moneys. When the Commission shall not desire to incur a general indebtedness in the purchase, condemnation and purchase, acquisition, or construction of any such public utility, or addition or betterment thereto, or extension thereof, it shall have the power to create a special fund or funds for the sole purpose of defraying the cost of such public utility, or addition or betterment thereto, or extension thereof, into which special fund or funds it may obligate and bind the district to set aside and pay a fixed proportion of the gross revenues of such public utility, or any fixed amount out of, and not exceeding a fixed proportion of, such revenues, or a fixed amount without regard to any fixed proportion, and to issue and sell bonds or warrants bearing interest not exceeding six per cent (6%) per annum, payable semi-annually, executed in such manner, and payable at such times and places as the Commission shall determine, but such bonds or warrants and the interest thereon, shall be payable only out

of such special fund or funds. In creating any such special fund or funds, the Commission shall have due regard to the cost of operation and maintenance of the plant or system as constructed or added to, and to any proportion or part of the revenues previously pledged as a fund for the payment of bonds or warrants, and shall not set aside into such special fund or funds a greater amount or proportion of the revenues and proceeds than, in its judgment, will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenues so previously pledged. Any such bonds or warrants, and interest thereon, issued against any such fund, as herein provided, shall be a valid claim of the holder thereof only as against the said special fund and its fixed proportion or amount of the revenue pledged to such fund, and shall not constitute an indebtedness of such district within the meaning of the constitutional provisions and limitations. Each such bond or warrant shall state on its face that it is payable from a special fund, naming such fund and the resolution creating it. Said bonds and warrants shall be sold in such manner as the Commission shall deem for the best interests of the district, and the Commission may provide in any contract for the construction and acquisition of a proposed improvement or utility that payment therefor shall be made only in such bonds or warrants at the par value thereof. In all other respects, the issuance of such utility bonds or warrants and payment therefor shall be governed by the public utility laws for cities and towns.

SEC. 8. The Commissioners shall serve without compensation. No resolution shall be adopted without a majority vote of the whole commission. The commission shall organize by the election of its own members of a president and secretary, shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings of the commission shall be by motion or resolution recorded in a book or books kept for such purpose, which shall be public records. The county treasurer of the county in which such district is situated shall be the treasurer of the district, and all funds of the district shall

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be paid to him as such treasurer and shall only be disbursed by him on warrants drawn and signed by an auditor to be appointed by the commission, upon order of or vouchers approved by the commission. The commission shall have authority to create and fill such positions and fix salaries and bonds thereof as it may by resolution provide.

All materials purchased and work ordered, the estimated cost of which is in excess of Five Thousand Dollars (\$5,000.00) shall be by contract. Before awarding any such contract, the commission shall cause to be published a notice at least thirty (30) days before the letting of said contract, inviting sealed proposals for such work, plans and specifications which must at the time of the publication of such notice be on file at the office of the public utility district, subject to public inspection: *Provided, however,* That the commission may at the same time, and as part of the same notice, invite tenders for said work or materials upon plans and specifications to be submitted by bidders. Such notice shall state generally the work to be done, and shall call for proposals for doing the same, to be sealed and filed with the commission on or before the day and hour named therein. Each bid shall be accompanied by a certified check, payable to the order of the commission, for a sum not less than five per cent (5%) of the amount of the bid, and no bid shall be considered unless accompanied by such check. At the time and place named, such bids shall be publicly opened and read, and the commission shall proceed to canvass the bids, and may let such contract to the lowest responsible bidder upon plans and specifications on file, or to the best bidder submitting his own plans and specifications: *Provided, however,* That no contract shall be let in excess of the estimated cost of said materials or work, or if, in the opinion of the commission, all bids are unsatisfactory, they may reject all of them and re-advertise, and in such case all checks shall be returned to the bidders; but if such contract be let, then and in such case, all checks shall be returned to the bidders, except that of the successful bidder, which shall be retained until a contract shall be entered into for the purchase of such

materials for doing such work, and a bond to perform such work furnished, with sureties satisfactory to the Commission, in an amount to be fixed by the Commission, not less than twenty-five (25%) per cent of contract price in any case, between the bidder and Commission, in accordance with the bid. If such bidder fails to enter into said contract in accordance with said bid and furnish such bond within ten (10) days from the date at which he is notified that he is the successful bidder, the said check and the amount thereof shall be forfeited to the public utility district.

Every contractor and sub-contractor performing any work for said public utility districts or local utility districts within said public utility district shall pay or cause to be paid to its employes on such work or under such contract or sub-contract not less than the minimum scale fixed by the resolution of the Commission prior to the notice and call for bids on such work. The Commission, in fixing such minimum scale of wages shall fix the same as nearly as possible to the current prevailing and going wages within the district for work of like character.

SEC. 9. The County Treasurer of the county in which is located any public utility district shall be ex-officio Treasurer of any public utility district in such county, and he shall create a fund for any public utility district to be known as Public Utility District Fund, into which shall be paid all money received by him from the collection of taxes in behalf of such public utility district, and he shall also maintain such other special funds as may be created by the Public Utility Commission, into which shall be placed such moneys as the Public Utility Commission may by its resolution direct.

All such public utility district funds shall be deposited with the county depositories under the same restrictions, contracts and security as is provided by statute for county depositories, and all interest collected on such public utility funds shall belong to such public utility district and be deposited to its credit in the proper public utility district funds.

SEC. 10. Two or more contiguous public utility districts may become consolidated into one public utility dis-

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district after proceedings had as required by sections 8909, 8910 and 8911, of Remington's Compiled Statutes of Washington, provided, that a ten (10) per cent petition shall be sufficient; and public utility districts shall be held to be municipal corporations within the meaning of said sections, and the Commission shall be held to be the legislative body of the public utility district as the term legislative body is used in said sections: *Provided*, That any such consideration shall in no wise affect or impair the title to any property owned or held by any such public utility district, or in trust therefor, or any debts, demands, liabilities or obligations existing in favor of or against either of the districts so consolidated, or any proceeding then pending: *Provided, further*, That no property within either of the former public utility districts shall ever be taxed to pay any of the indebtedness of either of the other such former districts.

The boundaries of any public utility district may be enlarged and new territory included therein, after proceedings had as required by section 8894 of Remington's Compiled Statutes of Washington: *Provided*, That a ten per cent (10%) petition shall be sufficient; and public utility districts shall be held to be municipal corporations within the meaning of said election, and the Commission shall be held to be the legislative body of the public utility district: *Provided*, That no property within such territory so annexed shall ever be taxed to pay any portion of any indebtedness of such public utility district contracted prior to or existing at the date of such annexation.

In all cases wherein public utility districts of less area than an entire county desire to be consolidated with a public utility district including an entire county, and in all cases where

it is desired to enlarge a public utility district including an entire county, by annexing a lesser area than an entire county, no election shall be required to be held in the district including an entire county.

SEC. 11. Adjudication of invalidity of any section, clause or part of a section of this act shall not impair or otherwise affect the validity of the act as a whole or any other part thereof.

The rule of strict construction shall have no application to this act, but the same shall be liberally construed, in order to carry out the purposes and objects for which this act is intended.

When this act comes in conflict with any provision, limitation or restriction in any other law, this act shall govern and control.

SEC. 12. This act shall not be deemed or construed to repeal or affect any existing act, or any part thereof, relating to the construction, operation and maintenance of public utilities by irrigation or water districts or other municipal corporations, but shall be supplemental thereto and concurrent therewith. No public utility district created hereunder shall include therein any municipal corporation, or any part thereof, where such municipal corporation already owns or operates all the utilities herein authorized: *Provided*, That in case it does not own or operate all such utilities it may be included within such public utility district for the purpose of establishing or operating therein such utilities as it does not own or operate: *Provided, further*, That no property situated within any irrigation or water districts or other municipal corporations shall ever be taxed or assessed to pay for any utility, or part thereof, of like character to any utility, owned or operated by such irrigation or water districts or other municipal corporations.

STATE OF WASHINGTON—ss.

Filed in office of Secretary of State October 25, 1928.

J. GRANT HINKLE, *Secretary of State*

Submitted to the Legislature January 21, 1929.

Rejected by the Legislature February 1, 1929.

ARGUMENT FOR INITIATIVE MEASURE No. 1

This measure, known as the District Bill, was initiated by more than 10,000 signatures of registered voters. Its purpose is to conserve the water and power resources of the state for the people, by authorizing the establishment of public utility districts covering a county or less in area. The method of formation of these districts is the same as for port districts, and the powers granted are the same as those now possessed by incorporated cities.

Washington has one-sixth of the nation's water power. This great natural resource is the God given heritage of the people. It belongs to no particular set of men. The economic benefits which will flow from the development of this enormous water power and the distribution of electricity at low rates can hardly be overestimated.

The history of rates for electric power in this state shows clearly that publicly-owned plants are primarily responsible for the extremely low rates in our large northwest cities. The reasons are clear. In public plants there is no over-capitalization, no inflated stock or even stock of any kind upon which dividends must be paid. They are constantly retiring their indebtedness, while private companies are continually adding to the amount upon which interest must be paid and dividends earned. When the public plants are paid for there remain only depreciation and costs of operation, making incredibly low rates possible.

This bill gives the people of rural districts the same right to develop and distribute electricity that city dwellers now enjoy. Unless a sound reason can be shown why they should not have this right, the bill should pass. It is a matter of simple justice and fairness. Being opposed by the power trust, which now has the people of the country districts at its mercy, and which opposes every measure designed to lower rates.

Do not be misled. This bill if enacted will not create a single utility district; it will levy no taxes, issue no bonds and create no debt. It is simply an enabling act. No district will be formed without a vote of the people, and no general bonds issued without a two-fifths vote.

It does not follow that districts will be formed everywhere. The smaller districts will be formed only for distribution, and will buy current from other public or private producers. Enactment of this bill will make it unnecessary to create numerous districts. The mere filing of this measure has caused a reduction of rates practically all over the state, and its enactment will result in still further reductions, and the people will always have in their hands the remedy for extortionate rates.

If this bill is defeated private companies will continue to appropriate available sites, and this last remaining natural resource will pass into private hands for all time and be used for the exploitation of our people and industries. That is the issue, and the private companies know it, and a vast amount of money will be spent in an attempt to defeat it. The astounding revelations made by the Federal Trade Commission, showing how schools, colleges, newspapers and even the pulpit have been used for spreading misleading propaganda should be sufficient to put every voter on guard. Do not be deceived by so-called citizens' committees and other organizations with fair-sounding names supported by the power trust. We say this because of its well known methods.

This measure is necessarily rather long, but the purpose is simple and clear. It is based upon existing legislation which has stood the test of the courts and is in practical operation. It will save our water resources for the people. It will give country districts the same access to our water resources that cities now have. It will insure reasonable rates, and gradually lower rates. Help yourselves and your children. Give the people of the rural districts a square deal. Vote for Initiative Measure No. 1.

Executive Committee, WASHINGTON
STATE GRANGE.

JAMES TAYLOR, President, Washington
State Federation of Labor.

STATE OF WASHINGTON—ss.

Filed in the office of Secretary of State
September 14, 1929.

J. GRANT HINKLE, *Secretary of State.*

ARGUMENT AGAINST INITIATIVE TO THE LEGISLATURE No. 1

LEGISLATIVE INITIATIVE NO. 1
THE MOST DANGEROUS TAX IN-
CREASE MEASURE EVER SUBMIT-
TED TO THE VOTERS OF THIS
STATE.

IT WOULD PERMIT A PUBLIC
UTILITY DISTRICT IN ONE COUNTY
TO REMOVE TAXABLE PROPERTY
FROM THE TAX ROLLS OF OTHER
COUNTIES AND THEREBY SERI-
OUSLY INCREASE TAXES IN THOSE
COUNTIES.

IT WOULD PERMIT, IN ADDI-
TION TO THE STATE, COUNTY,
CITY AND SCHOOL LEVIES, AN
ADDITIONAL PUBLIC UTILITY DIS-
TRICT TAX LEVY OF 2 MILLS
FOR GENERAL PURPOSES WHICH
COULD MEAN OVER \$2,000,000 AND
AN UNLIMITED LEVY FOR DEBT
AND INTEREST PURPOSES.

IT WOULD PERMIT A PUBLIC
UTILITY DISTRICT IN ONE COUNTY
TO ACQUIRE ALL THE PRIVATE
ELECTRIC SYSTEMS IN THE
OTHER COUNTIES AND TO FIX
RATES FOR CURRENT WITHOUT
ANY STATE CONTROL TO INSURE
FAIR AND NON-DISCRIMINATORY
RATES AND ADEQUATE SERVICE,
THEREBY PERMITTING ONE
COMMUNITY TO DISCRIMINATE
AGAINST OTHER COMMUNITIES IN
THIS STATE.

WASHINGTON'S TAX PROBLEM
IS SERIOUS. THIS INITIATIVE
WOULD MAKE IT FAR WORSE.

The less property there is to tax, the
higher our taxes. Railroad and bank
tax litigation has decreased our annual
tax revenue millions of dollars. This
loss will cause higher taxes on the rest
of us. Every removal of property from
the tax rolls by public ownership auto-
matically increases taxes on the re-
maining private property. Therefore,
under present conditions any further
exemptions of property from taxation
would be suicidal to the taxpayers. Yet
this initiative contemplates the ulti-
mate elimination of all privately owned
electric systems in this state which
now pay millions of dollars a year in
taxes. If public ownership is to be
further extended into private business
who is going to pay the taxes?

WHO ARE THE REAL BACKERS
OF THIS INITIATIVE?

Certain extremists among municipal
ownership advocates in Seattle and
Tacoma for years have been promoting
a plan for a state-wide publicly owned
super-power system to be controlled by
those cities. In 1924, under the name
of the Washington Superpower League
they sponsored two initiatives. The
first, known as the Bone Superpower
Bill, designed to prevent the Legisla-
ture from taxing the electric business
which these cities intended to carry
on outside their city limits was over-
whelmingly defeated by the people.
The second, known as the Erickson
initiative and far more radical than
the Bone initiative, was withdrawn by
its author in view of the unfavorable
re-action that followed its wide circu-
lation over the state. Legislative In-
itiative Number 1, now before the
people, copies large portions of the
Erickson measure word for word, and
is in fact nothing more nor less than
the old Erickson power bill, revised
and enlarged with these same extrem-
ists among the municipal ownership
advocates of Seattle and Tacoma as its
real backers. The sole object of this
group is to get control of the electric
power resources of the state for their
own selfish interests.

EXISTING PUBLICLY OWNED
UTILITIES OF KING AND PIERCE
COUNTIES HAVE INCREASED
TAXES IN EVERY COUNTY AND
COMMUNITY IN THE STATE.

In the campaign on the Bone In-
itiative of 1924 it was shown from the
public records that the publicly owned
utilities, other than water systems, of
King and Pierce counties had elimi-
nated private property from the tax
rolls to such an extent that the taxes
in all the counties for STATE purposes
alone have been increased over \$323,000
a year. The west side counties pay
over \$186,000 of this increase and the
east side counties over \$137,000. Yet
these same extremists have consist-
ently opposed any attempt of the Legis-
lature to make these properties pay
their just share of the state tax and
now propose this initiative which
would still further increase taxes all
over the state in a vast amount.

THIS INITIATIVE CREATES AN-
OTHER TAXING DISTRICT ON TOP

Argument Against Initiative to the Legislature No. 1

OF OUR PRESENT TAXING DISTRICTS WITH POWER TO LEVY 2 MILLS ADDITIONAL FOR GENERAL PURPOSES AND AN UNLIMITED AMOUNT FOR DEBT PURPOSES.

One of our greatest tax evils today is the pyramiding of taxes on the same taxable property. In the cities we have a state levy, a county levy, a school district levy and a city levy (and in some places port district and park district levies) all on the same property. In the country, there are the state, county, school district, road district, irrigation and dyking district and other levies. Now comes this initiative giving power to create another taxing district to cover the whole county or less and with power to levy a 2 mill tax on all the property in the district for general purposes and an unlimited millage for debt purposes. This could easily increase taxes several million dollars a year in addition to the added millions caused by the removal of private property from the tax rolls. The part of a county having the most votes could for its own benefit saddle the other parts of the county with large tax increases under the terms of this bill.

THIS INITIATIVE WOULD PERMIT FROM TWENTY TO TWENTY-FIVE PERCENT INCREASE IN THE BONDED DEBT IN A COMMUNITY.

The bond and warrant debt of the various taxing districts in which a taxpayer's property lies constitute a debt against his property just as binding as any private mortgage there may be on it. Each of these municipal corporations, such as the county, school district, port district, city, park district, etc., can issue bonds up to 5% of its taxable valuation. There are communities in this state where the same property is subject to the lien of the debt of four or five municipal corporations, or a total of twenty to twenty-five percent of its taxable valuation. This initiative adds another possible 5% making a possible lien of 30% of the taxable valuation in addition to any private liens or mortgages.

THIS INITIATIVE WOULD SERIOUSLY INCREASE THE TAXES OF EVERY TAXPAYER IN THE STATE INCLUDING EVERY HOME-OWNER AND EVERY FARMER.

When Seattle took over the street railway system it took off the tax rolls private property that paid over \$400,000 a year in taxes. Now the people who misled Seattle into this dismal failure have been trying to get the Legislature to permit a general tax on all Seattle property in order to make up the losses of the street railway system thereby increasing the tax burden in Seattle.

With taxes already running as high as 25% and more of the income of farms and other properties the most rosy promises of lower electric rates would be insignificant as compared to the increased taxes that would result from removing from the tax rolls property now paying millions of dollars a year in taxes.

ONE COUNTY COULD INCREASE TAXES IN ALL THE OTHER COUNTIES.

Since these extremists are on record as favoring a vast publicly owned superpower league to generate, distribute and sell electric energy, it is also fair to assume that they would lose no time in taking advantage of the powers of this bill to accomplish their purpose. Under this bill, they could reach over to Spokane, Yakima, Walla Walla, and anywhere else, and condemn and take over the existing companies that supply the east side counties. Likewise they could take over the private companies west of the Cascades. These immense properties paying millions of dollars a year in taxes would go off the tax rolls. In every county in which they now pay large taxes the tax burden would be heavily increased for county and local purposes in addition to the large increase mentioned above for state tax purposes. In return for these higher taxes all these counties would get absolutely nothing.

WASHINGTON NEEDS MORE TAXABLE PROPERTY; NOT MORE PROPERTY EXEMPT FROM TAXATION.

VOTE AGAINST IT TO SAVE YOUR HOMES AND YOUR FARMS.

TAXPAYERS ECONOMY LEAGUE OF SPOKANE: By LESTER M. LIVENGOOD, Manager and Counsel.

STATE OF WASHINGTON—ss.

Filed in the office of Secretary of State September 14, 1929.

J. GRANT HINKLE, *Secretary of State.*

ARGUMENT AGAINST INITIATIVE TO THE LEGISLATURE No. 1

"PUBLIC UTILITY DISTRICT BILL"

Some of the Grange leaders have been induced to sponsor this measure on the theory that it only gives to the rural sections the powers of "municipal ownership" now vested in the cities. Actually, the bill would give the proposed districts and their commissioners powers to create debts, issue bonds, make local assessments, levy taxes and exercise other authority, such as the people have never entrusted to any city or town or their officials.

No one doubts the sincerity of these Grange officials, but it is quite apparent that they have mistaken the real purpose and effect of this voluminous, complicated bill, as no measure could be more hostile to farmers' interests. The operations of the proposed districts would inevitably increase the cost of electric service to all homeowners, businessmen and taxpayers, both inside and outside of cities, either directly in higher rates, or through heavy local lien assessments and higher taxes, or all combined.

It is conceded that the bill was drawn by or with the assistance of the extreme municipal ownership advocates in Seattle and Tacoma, who would like to secure a monopoly over the light and power business in this state. They tried but failed to do this in 1924, when the voters turned down the Bone Bill by 77,901 majority. The present measure would be far more oppressive to all citizens and taxpayers of the state than the defeated Bone Bill.

Competition is not the object of this bill. Homer T. Bone, one of its authors, expressly stated at a legislative hearing in 1929 that its purpose is to eliminate competition and put the tax-paying regulated light and power companies out of business. The same statement has been repeatedly made by J. D. Ross, superintendent of Seattle's municipal lighting plant and one of the authors of this bill.

This bill authorizes the creation of an unlimited number of big and little, over-lapping political corporations throughout the state, called public utility districts, each governed by three commissioners whose powers are practically unlimited. Once elected these commissioners can buy or condemn the property of any or all of the

existing companies, construct power plants, transmission and distributing lines and engage in business not only in their own districts but in all other parts of the state, all without a vote of the people. They can issue general bonds up to 1½% of the value of all the taxable property within the district without a vote of the people, and such property would be liable for the payment thereof. They can borrow money and issue therefor utility bonds and warrants in any amount they choose without a vote of the people. They can levy an annual tax of two mills upon such taxable property to cover operating losses, and can each year levy an unlimited tax to pay general bond interest and bond redemption. There is no limit to the political jobs which they can create.

These commissioners can create local improvement districts without a vote of or even a petition by the people, which will require a consumer to pay the entire cost of the lines of poles and wires passing his property even though he is already receiving electric service.

They can extend their lines upon any roads or highways in the state without the consent of the county commissioners, and are even given the most extraordinary power of building their lines upon the streets and avenues of any city or town without the consent of and even against the will of the city or town officials. Neither the citizens nor such officials could designate the character or location of pole lines, nor compel underground construction in business districts. They could give or refuse service, when and where they chose. They could establish rates, rules, practices and discriminations at their own sweet will, and no consumer could obtain any relief through any regulatory body.

The first section of the measure expresses a pretended purpose to conserve the state's resources, but the measure itself would demoralize existing safeguards and permit the dissipation of these resources. The people have jealously protected their interests by the Water Code, by the statutes relating to state, school, shore, and other lands and to state and county high-

Argument Against Initiative to the Legislature No. 1

ways, and by city and town charters with reference to streets and other public property. Existing utilities must comply with these laws; but all these safeguards would be swept aside by the uncontrolled authority of the district commissioners.

The companies furnishing electric service to your homes, offices, factories and farms are rapidly developing the state by low rates and the extension of their service. They are constantly reducing their rates, as conditions permit. They are today furnishing electric service to the people of Washington at the lowest rates prevailing in the United States, not excepting the most thickly settled sections. The companies have extended their lines to bring the benefits and convenience of electric energy to the rural sections until Washington enjoys the proud distinction of having the highest percentage of electrically served farms of all the states in the union.

This has been accomplished not by bonding your property and placing a mortgage upon it, not by an annual tax levy against your property as authorized by this bill, but by private enterprise through money furnished by the many thousands of local stockholders who have invested their savings in the securities of these companies.

These companies are subject to complete regulation of their service and rates by the people's appointees. In developing their power plants, they must comply with all the requirements of the Water Code and the Federal Water Power Act. Their business and their poles and wires in towns, cities and along the county and state highways are subject to the police power, franchise and other control of city and town councils, county commissioners, the State Highway Commission, Department of Labor and Industry, and other public agencies, from all of which the proposed districts would be released.

The properties of the light and power companies are on the tax rolls, and each year the growth of their properties brings additional millions of

dollars under the tax levying powers of the state, the counties, cities, towns, school districts and other taxing units. At this time, when farmer, homeowner, and business man are unanimous in demanding lower taxes, these utilities are bearing a large share of all the burdens of taxation. The purchase or condemnation of these properties as authorized by this bill would wipe all this property from the tax rolls and the tremendous annual tax payments made by these companies would have to be borne by additional taxes levied against every farm, home and business within the state. Already the tens of millions of tax exempt property in the cities of Seattle and Tacoma have raised the taxes of every property owner in the state to an alarming extent.

As sober-minded citizens of Washington, it is your business to protect yourselves against further exploitation and reckless political and financial schemes. Read carefully this bill. Figure out for yourselves, from its amazing provisions and startling grants of power, what would happen to you and to the state of Washington if this measure should become a law.

CHARLES P. LUND, President, Cheney Light & Power Co.

A. H. SPERRY, President, Stevens County Power & Light Co.

M. W. BIRKETT, Vice-President, The Washington Water Power Co.

LEWIS A. McARTHUR, Vice-President and General Manager, Pacific Power & Light Company.

L. T. MERWIN, Vice-President and General Manager, Northwestern Electric Co.

A. W. LEONARD, President, Puget Sound Power & Light Co.

WALLACE W. BRIGGS, Vice-President, Grays Harbor Railway & Light Co.

STATE OF WASHINGTON—ss.

Filed in the office of Secretary of State
September 14, 1929.

J. GRANT HINKLE, *Secretary of State*.

An Amendment to the State Constitution

To Be Submitted to the Qualified Electors of the State for Their Approval
or Rejection at the

GENERAL ELECTION

TO BE HELD ON

TUESDAY, NOVEMBER 4, 1930

BALLOT TITLE

“Shall section 23 of article 2 of the Constitution be amended so that it shall provide that the members of the legislature shall receive an annual salary of Five Hundred Dollars (\$500.00).”

SENATE JOINT RESOLUTION No. 10

Compensation of members of the State Legislature.

Be It Resolved, By the Senate and House of Representatives of the State of Washington in legislative session assembled:

That at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1930, there shall be submitted to the qualified voters of this state for their adoption and approval, or rejection, an amendment to section 23 of article II of the Constitution of the State of Washington so that said section shall read as follows:

Section 23. Each member of the legislature shall receive for his services an annual salary of Five Hundred Dollars (\$500), and ten cents for every mile he shall travel in going to and returning from the place of meeting of the legislature, on the most usual route.

There shall be provided on all ballots for said election an opportunity for the people to vote for or against such amendment by means of the following proposition and ballot title:

“Shall section 23 of article 2 of the Constitution be amended so that it shall provide that the members of the legislature shall receive an annual salary of Five Hundred Dollars (\$500).”

Yes ☐
No ☐

Adopted by the Senate February 18, 1929.

Adopted by the House March 13, 1929.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State March 15, 1929.

J. GRANT HINKLE, *Secretary of State*.

An Amendment to the State Constitution

To Be Submitted to the Qualified Electors of the State for Their Approval
or Rejection at the

GENERAL ELECTION

TO BE HELD ON

TUESDAY, NOVEMBER 4, 1930

CONCISE STATEMENT

AN AMENDMENT of section 15, Article II of the state constitution relating to vacancies in the legislature, by providing that such vacancies shall be filled by appointment by boards of county commissioners, and prescribing the tenure of office of persons so appointed.

HOUSE JOINT RESOLUTION NO. 13.

Relating to the submission of an amendment to section 15 of Article II of the constitution relating to vacancies in the legislature.

Be It Resolved, By the House of Representatives and the Senate of the State of Washington in legislative session assembled:

That at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1930, there shall be submitted to the qualified electors of this state for their adoption and approval, or rejection, an amendment to section 15 of article II of the Constitution of the State of Washington, so that the same shall, when amended, read as follows:

Section 15. Such vacancies as may occur in either house of the legislature shall be filled by appointment by the

board of county commissioners of the county in which the vacancy occurs, and the person so appointed shall hold office until his successor is elected at the next general election, and shall have qualified:

Provided. That in case of a vacancy occurring in the office of joint senator, the vacancy shall be filled by appointment by the joint action of the boards of county commissioners of the counties composing the joint senatorial district.

Adopted by the House March 4, 1929.

Adopted by the Senate March 12, 1929.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State March 18, 1929.

J. GRANT HINKLE, *Secretary of State*.

An Amendment to the State Constitution

To Be Submitted to the Qualified Electors of the State for Their Approval
or Rejection at the

GENERAL ELECTION

TO BE HELD ON

TUESDAY, NOVEMBER 4, 1930

CONCISE STATEMENT

AN AMENDMENT of Article VII of the state constitution relating to revenue and taxation by striking sections 1, 2, 3, and 4, and inserting in lieu thereof a single section re-enacting certain provisions of the sections stricken; providing that property may be classified for the purpose of taxation; requiring the taxation of intangible property subject to ownership; constituting real property a single class for taxing purposes; authorizing the taxation of mines, mineral resources, and reforested lands by a yield or *ad valorem* tax or both, and exempting credits secured by property actually taxed in this state.

AN ACT to amend Article VII of the Constitution of the State of Washington, relating to revenue and taxation by striking Sections 1, 2, 3 and 4 thereof and inserting in lieu thereof a new section to be known as Section 1.

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

SECTION 1. That at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1930, there shall be submitted to the qualified electors of this state for their adoption and approval an amendment to Article VII of the Constitution of the State of Washington, by striking from said Article VII all of sections 1, 2, 3 and 4 and inserting in lieu thereof the following, to be known as section 1:

Section 1. The power of taxation shall never be suspended, surrendered or contracted away. All taxes shall be uniform upon the same class of property within the territorial limits of the authority levying the tax and shall be levied and collected for public purposes only. The word "property" as used herein shall mean and include everything, whether tangible or intangible, subject to ownership. All real estate shall constitute one class:

Provided, That the Legislature may tax mines and mineral resources and lands devoted to reforestation by either a yield tax or an *ad valorem* tax at such rate as it may fix, or by both. Such property as the Legislature may by general laws provide shall be exempt from taxation. Property of the United States and of the state, counties, school districts and other municipal corporations, and credits secured by property actually taxed in this state, not exceeding in value the value of such property, shall be exempt from taxation. The Legislature shall have power, by appropriate legislation, to exempt personal property to the amount of three hundred (\$300.00) dollars for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual *bona fide* owner.

Passed the House March 14, 1929.

Passed the Senate March 14, 1929.

Signature of the Governor not required.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State March 22, 1929.

J. GRANT HINKLE, *Secretary of State*.

ARGUMENT FOR THE CONSTITUTIONAL AMENDMENT

THE PRESENT TAX SYSTEM IS BREAKING DOWN. THE CONSTITUTION MUST BE AMENDED TO REFORM THE SYSTEM. VOTE FOR THE AMENDMENT.

Railroad and bank tax suits and other tax litigation, and the excessive taxes applied to lands, homes, and real estate generally in this state, demonstrate the necessity for a change in our tax system.

This situation was well recognized at the 1929 legislative session, but the Legislature could take no decisive step because their hands were tied by the rigid "uniform and equal" provision of the constitution.

"Uniform and equal" sounds fair, but in reality its application to a tax system works most unfairly, as all forms of wealth do not have the same ability to pay. Stocks and bonds cannot pay the same tax as real estate, and escape altogether under our present system. The dog tax brings in more revenue than is received from all of the bonds and stocks owned in the state.

Recognizing that the first step toward remedying our inequitable tax system is an amendment to the constitution, the legislature by a vote of 35 For, to 7 Against, in the Senate, and 82 For, to 2 Against, in the House, submitted this amendment.

The following are those in the Senate voting for the amendment: Senators Ball, Barnes, Cleary, Colburn, Condon, Conner, Cox, Dimmick, Frary, Gray, Hall (Charles W.), Hall (Oliver), Hartwell, Hastings, Heifner, Hurn, Knutzen, Landon, Metcalf, Miller, Mize, Murphy, Norman, Oman, Palmer, Phipps, Post, St. Peter, Smith, Somerville, Stinson, Sutton, Taylor, True and Wilmer.

The following House members voted for the amendment: Representatives Albert, Allen, Aspinwall, Banker, Barlow, Beck, Benson, Booth, Bostwick, Butterworth, Canfield, Casey, Cory, Culmback, Danielson, Danskin, Davis (J. H.), Denman, Durkee, Falknor, Friese, Gear, Gillette, Glasgow, Goldsworthy, Hall, Hartung, Hayton, Hazen, Hess, Hill, Hubbell, Hultgrenn, Hutchinson, Johnson, Jones (John R.), Jones (Roy), Kelly, Knapp, Krouse, Leber, Lindsay, McCracken, McDonough, McQuesten, Mansfield, Marble, Miller, (Frank O.), Miller (W. O.), Mills, Mitchell, Moran, Murray, Nelson, Nor-

thup, Olson (O. H.), Paysse, Peterson (C. E.), Peterson (Payson), Ratliffe, Reader, Reed, Roth, Rowe, Russell, Ryan, Sims, Soule, Sweetman, Templeton, Totten, Van Horn, Vaughan, Wakefield, Wanamaker, Watkins, Webb, Westover, Williams, Speaker Davis.

The almost unanimous support for this constitutional amendment in the Legislature was the result of compromise and agreement as to its provisions.

The amendment to be voted on this year differs in two important particulars from that submitted in 1928. It fixes real estate all in one class except lands devoted to reforestation and mineral lands, and it defines property. These two changes met the commonest objections to the 1928 amendment, and were largely responsible for the different factions uniting on this amendment in the Legislature.

Under the proposed amendment it will be possible to tax bonds and stocks other than those secured by or representing property taxed in this State, at moderate rates, leaving them still desirable as investments.

It will also be possible to provide for reforestation by relieving lands set aside for that purpose from high tax rates and applying low *ad valorem* rates, or yield taxes, or both.

Many other states have the powers that would be conferred on this state by the proposed amendment.

Every fair man should be willing to pay towards the cost of government, whether his money is invested in land, merchandise, bonds, or stocks.

Vote for the amendment. It is a step in the right direction.

O. C. PRATT, Chairman, Taxation Committee, Washington Education Association.

J. W. WHEELER, Past President, Pacific Northwest Real Estate Association.

A. S. GOSS, Master, Washington State Grange.

L. S. BOOTH, Chairman, Committee on State Taxation, National Real Estate Board.

FRANK C. JACKSON, Secretary, Washington Tax Equalization Council.

STATE OF WASHINGTON—ss.

Filed in the office of Secretary of State September 14, 1929.

J. GRANT HINKLE, *Secretary of State*.

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