

deposits therein are directed to be made by a court of competent jurisdiction.

Every such bank may further limit the aggregate amount which an individual or any corporation or society may have to his or its credit to such sum as such bank may deem expedient to receive; and may in its discretion refuse to receive a deposit, or may at any time return all or any part of any deposits or require the withdrawal of any dividend.

Bank may limit deposit or require withdrawal.

Passed the House February 23, 1949.

Passed the Senate March 4, 1949.

Approved by the Governor March 16, 1949.

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## CHAPTER 120.

[ H. B. 269. ]

### AERONAUTICS—JOINT OPERATION OF AIR PORTS AND FACILITIES.

AN ACT relating to aeronautics; prescribing powers of governing boards of airports, other air navigation facilities and airport protection facilities operated jointly by municipalities; amending section 11, chapter 182, Laws of 1945 (sec. 2722-40 Rem. Supp. 1945); and declaring an emergency.

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

SECTION 1. Section 11, chapter 182, Laws of 1945 (sec. 2722-40 Rem. Supp. 1945), is amended to read as follows:

Amendment.

Section 11. *Joint Operations.*

Subdivision 1. All powers, rights and authority granted to any municipality in this act may be exercised and enjoyed by two or more municipalities, or by this state and one or more municipalities therein, acting jointly, either within or without the territorial limits of either or any of said municipalities and within or without this state, or by this state or any municipality therein acting jointly with any other

Joint operation authorized.

state or municipality therein, either within or without this state: *Provided*, The laws of such other state permit such joint action.

Terms include state.

Subdivision 2. For the purposes of this section only, unless another intention clearly appears or the context otherwise requires, this state shall be included in the term "municipality," and all the powers conferred upon municipalities in this act, if not otherwise conferred by law, are hereby conferred upon this state when acting jointly with any municipality or municipalities. Where reference is made to the "governing body" of a municipality, that term shall mean, as to the state, its Director of Aeronautics.

Joint action by municipalities.

Subdivision 3. Any two or more municipalities may enter into agreements with each other, duly authorized by ordinances or resolution, as may be appropriate, for joint action pursuant to the provisions of this section. Concurrent action by the governing bodies of the municipalities involved shall constitute joint action.

Content of agreements.

Subdivision 4. Each such agreement shall specify its terms; the proportionate interest which each municipality shall have in the property, facilities and privileges involved, and the proportion of preliminary costs, cost of acquisition, establishment, construction, enlargement, improvement and equipment, and of expenses of maintenance, operation and regulation to be borne by each, and make such other provisions as may be necessary to carry out the provisions of this section. It shall provide for amendments thereof and for conditions and methods of termination; for the disposition of all or any part of the property, facilities and privileges jointly owned if said property, facilities and privileges, or any part thereof, shall cease to be used for the purposes herein provided or if the agreement shall be terminated, and for the distribution of the proceeds

received upon any such disposition, and of any funds or other property jointly owned and undisposed of, and the assumption or payment of any indebtedness arising from the joint venture which remains unpaid, upon any such disposition or upon a termination of the agreement.

Subdivision 5. Municipalities acting jointly as **Joint Boards.** herein authorized shall create a Board from the inhabitants of such municipalities for the purpose of acquiring property for, establishing, constructing, enlarging, improving, maintaining, equipping, operating and regulating the airports and other air navigation facilities and airport protection privileges to be jointly acquired, controlled, and operated. Such Board shall consist of members to be appointed by the governing body of each municipality involved, the number to be appointed by each to be provided for by the agreement for the joint venture. Each member shall serve for such time and upon such terms as to compensation, if any, as may be provided for in the agreement.

Subdivision 6. Each such Board shall organize, **Duties of Board.** select officers for terms to be fixed by the agreement, and adopt and from time to time amend rules of procedure.

Subdivision 7. Such Board may exercise, on behalf of the municipalities acting jointly by which it is appointed, all the powers of each of such municipalities granted by this act, except as herein provided. Real property, airports, restricted landing areas, air protection privileges, or personal property costing in excess of a sum to be fixed by the joint agreement, may be acquired, and condemnation proceedings may be instituted, only by approval of the governing bodies of each of the municipalities involved; upon the approval of the governing body, or if no approval be necessary then upon the **Powers of Board.**

Amount of  
expendi-  
tures.

Board's own determination, such property may be acquired by private negotiation under such terms and conditions as to the Board may seem just and proper. The total amount of expenditures to be made by the Board for any purpose in any calendar year shall be determined by the municipalities involved by the approval by each on or before the preceding December first, of a budget for the ensuing calendar year. Rules and regulations provided for by subdivision 3 of section 8 of this act shall become effective only upon approval of each of the appointing governing bodies. No real property and no airport, other navigation facility, or air protection privilege, owned jointly, shall be disposed of by the Board by sale except by authority of all the appointing governing bodies, but the Board may lease space, land area or improvements and grant concessions on airports for aeronautical purposes, or other purposes which will not interfere with the aeronautical purposes of such airport, air navigation facility or air protection privilege by private negotiation under such terms and conditions as to the Board may seem just and proper, subject to the provisions of subdivision 5 of section 8 of this act. Subject to the provisions of the agreement for the joint venture, and when it shall appear to the Board to be in the best interests of the municipalities involved, the Board may sell any personal property by private negotiations under such terms and conditions as to the Board may seem just and proper.

Ordinances.

Subdivision 8. Each municipality, acting jointly with another, pursuant to the provisions of this section is authorized and empowered to enact, concurrently with the other municipalities involved, such ordinances as are provided for by subdivision 3 of section 8 of this act, and to fix by such ordinances penalties for the violation thereof, which ordinances when so concurrently adopted, shall have the same

force and effect within the municipalities and on any property jointly controlled by them or adjacent thereto, whether within or without the territorial limits of either or any of them, as ordinances of each municipality involved, and may be enforced in any one of said municipalities in like manner as are its individual ordinances. The consent of the state Director of Aeronautics to any such ordinance, where the state is a party to the joint venture, shall be equivalent to the enactment of the ordinance by a municipality. The publication provided for in subdivision 3 of section 8, aforesaid, shall be made in each municipality involved in the manner provided by law or charter for publication of its individual ordinances.

Consent of state to ordinances.

Publication.

Subdivision 9. Condemnation proceedings shall be instituted, in the names of the municipalities jointly, and the property acquired shall be held by the municipalities as tenants in common. The provisions of subdivision 2 of section 2 shall apply to such proceedings.

Condemnation proceedings.

Tenants in common.

Subdivision 10. For the purpose of providing funds for necessary expenditures in carrying out the provisions of this section, a joint fund shall be created and maintained, into which each of the municipalities involved shall deposit its proportionate share as provided by the joint agreement, such funds to be provided for by bond issues, tax levies and appropriations made by each municipality in the same manner as though it were acting separately under the authority of this act, and into which shall be paid the revenues obtained from the ownership, control and operation of the airports and other air navigation facilities jointly controlled, to be expended as provided in this act; revenues in excess of cost of maintenance and operating expenses of the joint properties to be divided or allowed to accumulate for future anticipated expenditures as may be provided

Joint funds.

in the original agreement, or amendments thereto, for the joint venture. The action of municipalities involved in heretofore permitting such revenues to so accumulate is declared to be legal and valid.

Disbursements.

Subdivision 11. All disbursements from such fund shall be made by order of the Board in accordance with such rules and regulations and for such purposes as the appointing governing bodies, acting jointly, shall prescribe.

Specific performance may be enforced.

Subdivision 12. Specific performance of the provisions of any joint agreement entered into as provided for in this section may be enforced as against any party thereto by the other party or parties thereto.

Emergency.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 23, 1949.

Passed the Senate March 4, 1949.

Approved by the Governor March 16, 1949.

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CHAPTER 121.

[ H. B. 96. ]

ADVERTISING AND SALE OF ANTI-FREEZE.

AN ACT relating to advertising and sale of anti-freeze; providing for inspection and licensing by the Department of Agriculture; authorizing the Director of Agriculture to promulgate rules and regulations and establishing standards of quality and providing for penalties and the enforcement thereof.

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

Definitions.

SECTION 1. As used in this act, unless the context or subject matter otherwise require: (1) "Anti-freeze" shall include all substances and preparations intended for use as the cooling medium, or to be

"Anti-freeze."