

Inspection.

Section 8. The State Director of Agriculture shall cause to be made periodically a thorough inspection of each licensed bakery to determine whether or not the premises are constructed, equipped and operated in accordance with the requirements of this act and of all other laws of this state relating to bakeries or bakery products and all regulations effective thereunder. Such inspection shall also be made of each vehicle used by a bakery or distributor licensed under this act in transporting or distributing any bakery products within this state. The director shall employ no person as inspector who is a member or employee of a bakery or bakery operators' association or who is interested in any bakery or such association.

Passed the Senate March 2, 1939.

Passed the House February 24, 1939.

Approved by the Governor March 7, 1939.

CHAPTER 45.

[S. B. 88.]

PORT DISTRICTS.

AN ACT relating to port districts in counties of the first class, authorizing the establishment, acquisition, improvement and development of industrial development districts therein, providing for the sale and lease of property within such industrial development districts, and providing penalties for the violation of this act.

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

Industrial
development
districts.

SECTION 1. The port commission of any port district in any county of the first class may after a public hearing thereon, of which at least ten days' notice shall be published in a daily newspaper of general circulation in such port district, create industrial development districts within such port dis-

tract and define the boundaries thereof: *Provided*, Such port commission shall after such hearing determine that the creation of such industrial development district is proper and desirable in establishing and developing a system of harbor improvements and development in such port district.

SEC. 2. Any lands situate within any such industrial development district heretofore acquired or which may hereafter be acquired by the county wherein such port district is situated through foreclosure of tax liens may by majority vote of the county commissioners of such county, if they deem such lands to be chiefly valuable for industrial development purposes, be conveyed by the county to the port district. Such lands shall be held in trust by the port district and administered, improved, developed, leased and/or sold under the provisions of this act or any amendment thereof. Any moneys derived from the lease or sale of such lands shall be distributed as follows:

County
lands.

(a) The expense incurred by the port district for the administration, improvement and development of said lands shall be returned to the general fund of the port district.

(b) Any balance remaining shall be paid to the county in which the lands are located, to be paid, distributed and prorated to the various funds in the same manner as general taxes are paid and distributed during the year of such payment.

SEC. 3. With the approval of a majority of the board of county commissioners of the county in which such land is located, any land within such industrial development district held in private ownership and deemed by the port commission of such port district to be valuable for industrial development purposes may be deeded to and accepted by the port district, subject to delinquent general taxes thereon, and upon the recording of the deed of conveyance

Private
owned lands.

thereof to the port district and the giving of notice thereof to the board of county commissioners, the board of county commissioners shall thereupon order the said delinquent and unpaid general taxes to be cancelled and the county treasurer shall thereupon make a record of such cancellation on the records of his office and said property shall be removed from the tax rolls. Thereafter said lands shall be held in trust and administered, developed, improved, leased and/or sold and the proceeds thereof disposed of in accordance with the provisions of section 2 of this act.

Discharge
of trust.

SEC. 4. The port district may acquire any of said lands held by it in trust as provided in sections 2 and 3 hereof, discharged and free from said trust, by paying to the county treasurer the amount of the delinquent and unpaid general taxes at the time said lands were acquired by the county through foreclosure of tax liens or the amount of the delinquent and unpaid taxes at the time said lands were conveyed to the port district subject to the delinquent general taxes with the approval of the board of county commissioners of the county pursuant to the provisions of sections 2 and 3, respectively, of this act.

Comprehen-
sive scheme
of harbor
improve-
ment.

SEC. 5. No expenditure for improvement or development of such industrial development district, other than the necessary costs and expenses of formulating, preparing and submitting a plan of improvement and development thereof, shall be authorized or undertaken by the port district, and no land or property not already owned therein shall be acquired except in the manner hereinbefore provided in sections 2 and 3 of this act, unless and until the same has been made a part of the comprehensive scheme of harbor improvement of such port district in the manner provided by law.

SEC. 6. All port districts wherein industrial development districts have been established are hereby authorized and empowered to acquire by purchase or condemnation or both, all lands, property and property rights necessary for the purpose of the development and improvement of such industrial development district and to exercise the right of eminent domain in the acquirement or damaging of all land, property and property rights and the levying and collecting of assessments upon property for the payment of all damages and compensation in carrying out the provisions for which said industrial development district shall have been created; to develop and improve the lands within such industrial improvement district to make the same suitable and available for industrial uses and purposes; to dredge, bulkhead, fill, grade and protect such property; to provide, maintain and operate water, light, power and fire protection facilities and services, streets, roads, highways, waterways, tracks and rail and water transfer and terminal facilities and other harbor and industrial improvements; to execute leases of such lands or property or any part thereof; to establish local improvement districts within such industrial development districts which may, but need not, be coextensive with the boundaries thereof, and to levy special assessments, under the mode of annual installments, over a period not exceeding ten years, on all property specially benefited by any local improvement, on the basis of special benefits, to pay in whole or in part the damages or costs of any improvement ordered in such local improvement district; to issue local improvement bonds in any such local improvement district, to be repaid by the collection of local improvement assessments; and generally to exercise with respect to and within such industrial development districts all the powers now or hereafter conferred by law

Eminent domain.

Local improvement districts.

upon port districts in counties of the first class: *Provided*, That the exercise of powers hereby authorized and granted shall be in the manner now and hereafter provided by the laws of the State of Washington for the exercise of such powers by port districts under the general laws relating thereto in so far as the same shall not be inconsistent with this act.

Eminent
domain
exemptions.

SEC. 7. The power of eminent domain granted under the provisions of this act shall not be exercised with respect to any property theretofore sold by the port district pursuant to the provisions of this act; no tract or parcel of property in single, undivided or common ownership, public or private, shall be taken by eminent domain proceedings under the provisions of this act if the owner or owners thereof, or his or their predecessors in interest, shall have prudently invested the sum of \$25,000 or more in the improvement of said tract or parcel of property prior to the approval of the improvement and development of such industrial development district by the adoption of a comprehensive scheme of harbor improvement or an amendment thereto in the manner provided by law. The question of the amount prudently invested in improvements for the purposes of this section shall be a judicial question to be determined at the same time and manner as the question of public use is determined in eminent domain proceedings.

Title to
property.

SEC. 8. Title to any property acquired by a port district pursuant to sections 2 and 3 of this act shall at the end of ten years from the date of acquisition thereof revert to the county wherein said port district is situate, to be held and disposed of by the county in like manner as lands acquired upon tax foreclosure proceedings, and upon demand of the board of county commissioners the port commission shall execute a conveyance thereof to the county:

Provided, This section shall have no application if the port commission and voters of said port district shall have theretofore adopted a comprehensive scheme of harbor improvement which provides for the improvement and development of an industrial development district which includes such lands within its boundaries, or such port district shall have theretofore acquired said lands free and discharged from the trust under which title thereto was originally acquired in accordance with the provisions of section 4 of this act.

SEC. 9. Whenever it shall appear to the port commission of the port district that it is for the best interests of the port district and the people thereof, and that it is in furtherance of the development of the system of harbor improvement of such port district and consistent with the general scheme of harbor improvement adopted by the voters of such port district that any part or parcel, or portion of such part or parcel, of the property, whether real, personal or mixed, within such industrial development district should be sold, it shall be the duty of such port commission and it is hereby authorized and empowered to sell and convey such property under the limitations and restrictions and in the manner hereinafter provided. Sale of property.

SEC. 10. The port commission so desiring to sell shall first give notice of intention to make such sale by publication thereof in two different newspapers in such county, if there are two published in such county, and also by posting such notice in three conspicuous public places within such port district, at least ten days prior to the date of hearing fixed thereon. Such notice so published and posted shall particularly designate and describe the property or portion thereof which it is proposed to sell and shall contain full notice that the port commission will meet on a certain day and hour of such day, at their Publication.

Hearing.

usual place of meeting, designating such place, to hear and determine the advisability of making such sale: *Provided*, That such meeting shall be held at a time not more than ten days after the expiration of the time hereinbefore designated for the publication of the notice of such meeting. The commission shall at such meeting hear evidence and take testimony, should any be offered, as to the propriety and advisability of making such proposed sale, and any taxpayer in the port district, either in person or by counsel, shall have the right to be heard for or against such proposition.

Findings of commission.

SEC. 11. The commission shall, within three days after such hearing, make their findings as to the propriety and advisability of making such sale and their determination thereon, which said finding and determination shall be spread upon their minutes and be made a matter of record.

Call for bids.

SEC. 12. If the finding and determination of the commission shall be against such sale, all proceedings in that regard shall thereupon terminate; but if the commission shall find and determine in favor of such sale, they shall thereupon enter an order upon their minutes fixing a period, not less than twenty nor more than thirty days from the date of such order, during which private bids will be received for such property or any part or parcel thereof, and notice thereof shall be given in the manner provided in section 10 of this act.

Bids submitted.

SEC. 13. Bids may be submitted for such property or for any part or parcel thereof and shall state and describe the use which the bidder proposes to make of the property if purchased. The commission may require any such bidder to file additional and supplemental information as to such proposed use. Within thirty days after the last day fixed for the submission of bids, the port commission shall de-

termine whether to accept any such bid or bids, and if any part of said property is sold it shall be upon such terms and conditions as the commission may determine, and the commission may require such security as it may determine as assurance that the property will be used by the bidder for the use stated and described in its bid. Any sale made pursuant hereto shall be to the highest and best bidder: *Provided*, The port commission shall not sell any property unless it is to be used for industrial or commercial uses and purposes, and in determining what is the highest and best bid the port commission may consider, among other things, the nature of the proposed use to be made of the property and the relation of such use to the improvement of the harbor and of the business and facilities thereof. Any purchaser at such sale shall, within one year from the date thereof, devote the property purchased to industrial or commercial use or shall commence work on any improvements of said property necessary to devote it to such use and thereafter diligently proceed with the completion thereof, and in the event of the failure of the purchaser to comply with this requirement, the port commission may in its discretion cancel such sale and return the purchase price, or so much thereof as has been paid, to the purchaser, and title to the property shall revert to the port district. This remedy shall be in addition to, but not exclusive of, any other remedy provided under the terms and conditions of the sale of such property. No transfer of title of the property purchased pursuant to the provisions of this act shall be made by any purchaser within the period of one year from and after the date of the purchase thereof.

SEC. 14. No sale or purchase of property pursuant to the provisions of this act shall be made except to a purchaser intending to use such prop-

Restrictions
on sale.

erty within one year from the date of such sale for commercial or industrial purposes, or if improvements to said property are necessary to adapt it to such use then to commence work upon such improvements within one year from the date of such sale and thereafter to diligently proceed with the completion thereof and to devote said property to such use. Any violation of this section shall be a gross misdemeanor punishable under the laws of the State of Washington relating thereto.

Passed the Senate February 8, 1939.

Passed the House March 1, 1939.

Approved by the Governor March 7, 1939.

CHAPTER 46.

[S. B. 114.]

HOSPITAL FOR TREATMENT OF BUERGERS DISEASE.

AN ACT relating to state government and state institutions providing for the establishment and operation of a public institution for the treatment and care of persons afflicted with Buergers disease and for experimental and scientific study of such disease and the medicinal and curative properties of the waters of Soap Lake, making an appropriation, and declaring this act shall take effect immediately.

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

Definitions.

SECTION 1. For the purpose of this act (a) the term "department" means the Department of Finance, Budget and Business of the State of Washington, (b) the term "institution" means the McKay memorial research hospital, (c) the term "director" means the Director of Finance, Budget and Business, and (d) the term "superintendent" means the superintendent of the McKay memorial research hospital.

Hospital
established.

SEC. 2. A public institution is hereby established at Soap Lake, Washington, to be known as the McKay memorial research hospital, for the treatment and care of persons afflicted with Buergers disease,