

town may impose any other or further conditions and obligations in such bond as may be deemed necessary for its proper protection in the fulfillment of the terms of the contract secured thereby.

Passed by the Senate February 19, 1909.

Passed by the House March 5, 1909.

Approved March 18, 1909.

CHAPTER 208.

[S. B. 38.]

RELATING TO THE PUBLIC HEALTH.

AN ACT creating the office of State Commissioner of Health, fixing his qualification, term of office and compensation and defining his duties, and declaring an emergency.

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

SECTION 1. That within thirty days after this act takes effect the State Board of Health shall elect a State Commissioner of Health, who may or may not be a member of the State Board of Health; who shall be a physician and who shall be learned in sanitary science and experienced in public health administration. He shall hold his office for five years and until his successor is elected and qualified, but may be removed by the State Board of Health for incompetency, malfeasance or corruption proven by evidence given under oath before the board and for this purpose the board shall have power to administer oaths and take testimony. He shall receive a salary of three thousand six hundred dollars per year and his expenses actually incurred in the performance of his duties, to be paid monthly in the same manner as the salary and expenses of other state officers, upon vouchers signed by the President of the State Board of Health.

Commissioner of health.

Term of office.

Salary.

SEC. 2. That the State Commissioner of Health shall be State Registrar of Vital Statistics and Secretary of the State Board of Health and executive officer of said

Shall keep vital statistics.

board. He shall be the custodian of all property and records of the State Board of Health and shall have charge of the office and all laboratories of said board. He is authorized to appoint deputy commissioners of health and such scientific, clerical and other assistants as may be necessary to properly carry on the work of the board. He shall devote his time to the investigation of sanitary conditions and the prevalence of disease in the state and to such other duties as the State Board of Health may direct or this act or any other act may require. It shall be his duty to strictly enforce all laws passed for the protection of the public health and improvement of sanitary conditions of the state and to enforce all rules, regulations and orders of the State Board of Health. He shall investigate all epidemics of disease that may occur in the state and advise the local health officers as to the best measures to be taken to prevent and control such disease and he shall supervise all measures taken by local health officers for the suppression and control of disease. He shall have the same authority to quarantine and disinfect any person, article of household goods or merchandise, building or vessel that is conferred by law upon any local, county or city health officers or commissioner: *Provided*, He shall not exercise such authority to quarantine and disinfect unless the local health officer or commissioner refuses or neglects to do so or when in an emergency the safety of the public health demands it. He is authorized to release any quarantine whether ordered by himself or any local health officer when in his opinion it is no longer necessary.

Secretary of board of health may appoint deputies, etc.

To enforce health laws.

Power to quarantine used, when.

Advice on sanitation.

SEC. 3. That the commissioners of any county or the mayor of any city may call upon the State Commissioner of Health for advice relative to improving sanitary conditions or disposing of garbage and sewage or obtaining a pure water supply, and when so called upon the State Commissioner of Health shall either personally or by an assistant make a careful examination into the conditions existing and shall make a full report containing his advice thereon to the county or city making such request.

SEC. 4. That an emergency exists and this act shall take effect April 1, 1909. Emergency.

Passed by the Senate February 16, 1909.

Passed by the House March 5, 1909.

Approved March 18, 1909.

CHAPTER 209.

[S. B. 265.]

RELATING TO IRRIGATION.

AN ACT repealing sections 4128 and 4157 of Ballinger's Annotated Codes and Statutes of Washington, and sections 5843 and 5872 of Pierce's Washington Code, and providing for the protection of structures and appliances used for irrigation, reclamation, or power purposes, preventing unlawful taking of water, providing a rule of evidence in such cases, and providing a penalty for the violation of this act.

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

SECTION 1. That any person or persons who shall wilfully interfere with, injure or destroy any dam, dike, headgate, weir, canal or reservoir, flume or other structure or appliance for the diversion, carriage, storage, apportionment, or measurement of water for irrigation, reclamation, power or other beneficial uses, or shall wilfully injure or destroy any telegraph, telephone or electric transmission line, or any other property owned, occupied, or controlled by any person, association, or corporation or by the United States and used in connection with said beneficial use of water, shall be guilty of a misdemeanor.

Damage to
irrigation
works mis-
demeanor.

SEC. 2. Any person or persons who shall wilfully or unlawfully take or use water, or conduct the same into his ditch or to his land, or land occupied by him, and for such purposes shall cut, dig, break down, or open any headgates, bank, embankment, canal or reservoir, flume or conduit, or interfere, injure or destroy any weir, measuring box or other appliance for the apportionment and

Stealing
water mis-
demeanor.