

CHAPTER 51.

[S. B. 129.]

CITIES AND TOWNS: ELECTRIC ENERGY.

AN ACT relating to municipal corporations; granting to cities and towns certain powers; authorizing cities and towns to use, purchase, sell and dispose of electric energy inside or outside their corporate limits; to acquire, construct, maintain and operate inter-tie lines, transmission lines and distribution systems; and to exercise the right of eminent domain in aid of the acquisition, construction, repair, operation, extension or betterment of any plant or system for transmitting or distributing electricity.

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

SECTION 1. Any city or town within the state now or hereafter owning its own electric power and/or light plant, shall have the right to sell and dispose of electric energy to any other city or town, public utility district, governmental agency or municipal corporation, mutual association, or to any person, firm or corporation, inside or outside its corporate limits, and to purchase electric energy therefrom.

Power to sell electric energy given city.

SEC. 2. Any such city or town is hereby authorized to acquire, construct, purchase, condemn and purchase, own, operate, control, add to and maintain lands, easements, rights-of-way, franchises, distribution systems, sub-stations, inter-tie or transmission lines, to enable it to use, purchase, sell and dispose of electric energy inside or outside its corporate limits, or to connect its electric plant with any other electric plant or system, or to connect parts of its own electric system.

Authorized to acquire necessary connecting devices.

SEC. 3. Any such city or town is hereby authorized to exercise the power of eminent domain hereby granted, under the same provisions and procedure as is or shall be provided by law for the condemnation of private property for any of the corporate

Eminent domain.

Electors,
approval of.

uses or purposes of such city or town: *Provided, however,* That no city or town shall acquire, by purchase or condemnation, any publicly or privately owned electric power and/or light plant or electric system located in any other city or town, except with the approval of a majority of the qualified electors of the city or town in which the property to be acquired is situated; nor shall any city or town acquire by condemnation the electric power and/or light plant or electric system, or any part thereof, belonging to or owned or operated by any municipal corporation, mutual, non-profit, or cooperative association or organization, or by a public utility district.

Partial
invalidity.

SEC. 4. If any part of this act shall be adjudged to be invalid or unconstitutional, such adjudication of invalidity or unconstitutionality shall not affect the validity or constitutionality of the act as a whole, or any part thereof not adjudged invalid or unconstitutional. The provisions of this act shall be cumulative, and nothing herein contained shall abridge or limit the powers of cities or towns under existing laws.

Passed the Senate February 14, 1933.

Passed the House February 20, 1933.

Approved by the Governor March 2, 1933.