

Effective
immediately.

SEC. 6. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately upon its approval.

Passed the Senate March 5, 1937.

Passed the House March 9, 1937.

Approved by the Governor March 13, 1937.

CHAPTER 117.

[S. B. 399.]

FLOOD CONTROL: EMINENT DOMAIN.

AN ACT relating to eminent domain proceedings for the purposes of flood control, amending section 4, chapter 54 of the Laws of 1913 (section 9654, Remington's Revised Statutes), and declaring an emergency.

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

Amends
§ 9654 Rem.
Rev. Stat.
(§ 5951 P. C.)

SECTION 1. Section 4 of chapter 54 of the Laws of 1913 (section 9654, Remington's Revised Statutes) is hereby amended to read as follows:

Eminent
domain.

Section 4. When such a contract shall have been entered into the power of eminent domain is hereby vested in each of such counties, to acquire any lands necessary to straighten, widen, deepen, dike or otherwise improve any such river, its tributaries or outlet or to strengthen the banks thereof, or to acquire any land adjacent to such river, or its tributaries, or the right to cut and remove timber upon the same for the purpose of preventing or lessening the falling of timber or brush into the waters of such river or tributaries, or to acquire any rock quarry, gravel deposit or timber for material for the prosecution of such improvement, together with the necessary rights of way for the same, or to acquire any dam site or other property necessary for flood control purposes. Any such land, property or rights may be acquired by purchase instead of by con-

Purchase or
condemna-
tion.

demnation proceedings. Said right of eminent domain shall extend to lands or other property owned by the state or any municipality thereof. The title to any such lands, property or rights so acquired shall vest in the county in which situate for the benefit of such enterprise and said fund, but when said contract shall have terminated by lapse of time or for any other reason, then such title shall be held by such county independent of any claims whatsoever of the other county, but any material, equipment or other chattel property on hand shall be converted into money and the money divided between the two counties in the ratio of their respective contributions to the fund. The exercise of such rights of eminent domain or purchase shall rest in the joint control of the two boards of county commissioners. Such eminent domain proceedings shall be in the name of and had in the county, where the property to be acquired is situate: *Provided*, If either county shall fail or refuse to institute and prosecute any condemnation proceedings when directed so to do by any legal meeting provided for in section 5 of this act, such proceeding may be instituted and prosecuted by and in the name of the other county. The proceedings may conform to the provisions of sections 921 and 926, inclusive, of Remington & Ballinger's Annotated Codes and Statutes of Washington, or to any general law now or hereafter enacted governing eminent domain proceedings by counties. The awards in and costs of such proceedings shall be payable out of such funds. The purposes in this act specified are hereby declared to be county purposes of each and both of such counties.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately.

Passed the Senate March 5, 1937.

Passed the House March 9, 1937.

Approved by the Governor March 13, 1937.

Title to
lands.

Proceedings.

County
purposes.

Effective
immediately.