

CHAPTER 147.

[H. B. 383.]

STATE LANDS—RIGHTS OF WAY.

AN ACT relating to the granting of rights of way through, over and across state lands; amending sections 96, 97, 98, 99 and 100, chapter 255, Laws of 1927 (sections 7797-96, -97, -98, -99 and -100, Remington's Revised Statutes, also Pierce's Perpetual Code 940-483 to -491); and declaring an emergency.

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

Amend-
ments.

SECTION 1. Section 96, chapter 255, Laws of 1927 (section 7797-96, Remington's Revised Statutes, also Pierce's Perpetual Code 940-483), is amended to read as follows:

Right of
way across
state lands.

Section 96. A right of way through, over and across any state lands, or tide or shore lands belonging to the state, or oyster reserves belonging to the state and the reversionary interest of the state in oyster lands, which have been or may hereafter be established or arise, is hereby granted to any municipal or private corporation, company, association, individual, or the United States of America, constructing or proposing to construct, or which has heretofore constructed, any telephone line, ditch, flume or pipe line for the domestic water supply of any municipal corporation or transmission line for the purpose of generating or transmitting electricity for light, heat or power.

Amend-
ments.

SEC. 2. Section 97, chapter 255, Laws of 1927 (section 7797-97, Remington's Revised Statutes, also Pierce's Perpetual Code 940-485), is amended to read as follows:

Section 97. In order to obtain the benefits of the grant made in the preceding section, the municipal or private corporation or company, association, individual, or the United States of America, constructing or proposing to construct, or which has

heretofore constructed, such telephone line, ditch, flume, pipe line or transmission line, shall file, with the Commissioner of Public Lands a map, accompanied by the field notes of the survey and location of such telephone line, ditch, flume, pipe line or transmission line, and shall pay to the state as hereinafter provided the amount of the appraised value of the land, and improvements, if any, used for or included within the right of way applied for. The land within the right of way shall be limited to an amount necessary for the construction of said telephone line, ditch, flume, pipe line or transmission line sufficient for the purposes required, together with sufficient land on either side thereof for ingress and egress to maintain and repair the same, and the grant shall include the right to cut all standing timber within two hundred feet on either side of the center line of said right of way, which shall be dangerous to the operation and maintenance of the telephone line, ditch, flume, pipe line or transmission line.

Right of
way across
state lands.

SEC. 3. Section 98, chapter 255, Laws of 1927 (section 7797-98, Remington's Revised Statutes, also Pierce's Perpetual Code 940-487), is amended to read as follows:

Amend-
ments.

Section 98. Upon the filing of the plat and field notes, as provided in the preceding section, the land applied for and the standing timber within two hundred feet on either side of the center line of the right of way applied for, if any, and the improvements included in the right of way applied for, if any, shall be appraised as in the case of an application to purchase state lands. Upon full payment of the appraised value of the land applied for and of the standing timber and improvements, if any, the Commissioner of Public Lands shall issue to the applicant a certificate of the grant of such right of way stating the terms and conditions thereof and shall enter the same in the abstracts and records in his of-

Application.

Certificate
of grant.

fice, and thereafter any sale or lease of the lands affected by such right of way shall be subject to the easement of such right of way. Should the corporation, company, association, individual, or the United States of America, securing such right of way ever abandon the use of the same for the purposes for which it was granted, the right of way shall revert to the state, or the state's grantee.

Amend-
ments.

SEC. 4. Section 99, chapter 255, Laws of 1927 (section 7797-99, Remington's Revised Statutes, also Pierce's Perpetual Code 940-489), is amended to read as follows:

Grants to
irrigation
districts.

Section 99. A right of way through, over and across any state lands or tide or shore lands belonging to the state is hereby granted to any irrigation district, or irrigation company duly organized under the laws of this state, and to any association, individual, or the United States of America, constructing or proposing to construct an irrigation ditch or pipe line for irrigation, or to any diking and drainage district or any diking and drainage improvement district proposing to construct a dike or drainage ditch.

Amend-
ments.

SEC. 5. Section 100, chapter 255, Laws of 1927 (section 7797-100, Remington's Revised Statutes, also Pierce's Perpetual Code 940-491), is amended to read as follows:

Irrigation
district
applications.

Section 100. In order to obtain the benefits of the grant hereinabove provided for, the irrigation district, irrigation company, association, individual, or the United States of America, constructing or proposing to construct such irrigation ditch or pipe line for irrigation, or the diking and drainage district or diking and drainage improvement district constructing or proposing to construct any dike or drainage ditch, shall file with the Commissioner of Public Lands a map accompanied by the field notes of the survey and location of the proposed irrigation

ditch, pipe line, dike, or drainage ditch, and shall pay to the state as hereinafter provided, the amount of the appraised value of the said lands used for or included within such right of way. The land within said right of way shall be limited to an amount necessary for the construction of the irrigation ditch, pipe line, dike, or drainage ditch for the purposes required, together with sufficient land on either side thereof for ingress and egress to maintain and repair the same.

SEC. 6. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions and shall take effect immediately.

Effective
immediately.

Passed the House February 28, 1945.

Passed the Senate March 7, 1945.

Approved by the Governor March 15, 1945.

CHAPTER 148.

[H. B. 385.]

EXCISE TAX—EXPRESS COMPANIES.

AN ACT relating to taxation; repealing chapter 54, Laws of 1907, as amended by sections 26 to 32, inclusive, chapter 206, Laws of 1939 (sections 11180 to 11187, inclusive, Remington's Revised Statutes), which provided for an excise or privilege tax payable by express companies; and designating the taxes to which this act shall apply and authorizing the levy of township taxes for certain purposes; and amending section 1, chapter 226, Laws of 1941, and repealing section 8, chapter 13, Laws of 1923 (section 11445, Remington's Revised Statutes, also Pierce's Perpetual Code 986-241).

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

SECTION 1. That chapter 54, Laws of 1907, as amended by sections 26 to 32, inclusive, chapter 206, Laws of 1939 (sections 11180 to 11187, inclusive, Remington's Revised Statutes, also Pierce's Per-

Acts
repealed.