

Explanatory note.

missioners' which follow the words "tax levy" in the first sentence, for the reason that RCW 17.04.240 (section 2 of this bill) was amended by 1951 c 107 § 1 to provide that *the directors* make the levy.

Sections 1 through 4. 1929 c 125 § 5 combined 1921 c 150 §§ 5 and 8. RRS codified this as three sections (2774-2, 2775 and 2778). These became RCW 17.04.240, 17.04.250 and 17.04.260. RCW 17.04.240 was subsequently amended by 1951 c 107 § 1.

Sections 5 through 10. 1937 c 194 § 3 was divided and codified by the 1941 Code Committee as RCW 17.08.050, 17.08.060, 17.08.070, 17.08.080 and 17.08.090. RCW 17.08.070 was subsequently amended by 1951 c 213 § 1.

Sections 11 through 13. 1937 c 194 § 4 was divided and codified by the 1941 Code Committee as RCW 17.08.100 and 17.08.110. RCW 17.08.110 was subsequently amended by 1953 c 89 § 2.

CHAPTER 14.

[H. B. 20.]

MUNICIPAL AIRPORTS

AN ACT relating to powers of municipalities concerning airports and aeronautical facilities; combining RCW 14.08.120 through 14.08.150 and 14.08.320 as RCW 14.08.120, enacting section 8, chapter 182, Laws of 1945 as amended by section 1, chapter 178, Laws of 1953, and RCW 14.08.120; validating certain proceedings, and declaring an emergency.

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

Combination and enactment.

SECTION 1. Section 8, chapter 182, Laws of 1945 as amended by section 1, chapter 178, Laws of 1953 (heretofore divided and codified as RCW 14.08.120, 14.08.130, 14.08.140, 14.08.150, and 14.08.320) is combined and enacted as RCW 14.08.120 to read as follows:

RCW 14.08.120 enacted. Specific powers of municipalities operating airports.

In addition to the general powers in this chapter conferred, and without limitation thereof, a municipality which has established or may hereafter establish airports, restricted landing areas or other air navigation facilities, or which has acquired or set apart or may hereafter acquire or set apart real property for such purpose or purposes is hereby authorized:

Delegate authority.

(1) To vest authority for the construction, enlargement, improvement, maintenance, equipment, operation and regulation thereof in an officer, a board

or body of such municipality by ordinance or resolution which shall prescribe the powers and duties of such officer, board or body. The expense of such construction, enlargement, improvement, maintenance, equipment, operation and regulation shall be a responsibility of the municipality.

(2) To adopt and amend all needful rules, regulations and ordinances for the management, government and use of any properties under its control, whether within or without the territorial limits of the municipality; to appoint airport guards or police, with full police powers; to fix by ordinance or resolution, as may be appropriate, penalties for the violation of said rules, regulations and ordinances, and enforce said penalties in the same manner in which penalties prescribed by other rules, regulations and ordinances of the municipality are enforced. For the purposes of such management and government and direction of public use, such part of all highways, roads, streets, avenues, boulevards, and territory as adjoins the limits of any airport or restricted landing area acquired or maintained under the provisions of this chapter shall be under like control and management of the municipality. It may also adopt and enact rules, regulations and ordinances designed to safeguard the public upon or beyond the limits of private airports or landing strips within such municipality or its police jurisdiction against the perils and hazards of instrumentalities used in aerial navigation. Rules, regulations and ordinances shall be published as provided by general law or the charter of the municipality for the publication of similar rules, regulations, and ordinances. They must conform to and be consistent with the laws of this state and the rules and regulations of the aeronautics commission of the state and shall be kept in conformity, as nearly as may be, with the then current federal legislation governing aeronautics and the regulations

Rules, regulations and ordinances—Enforcement.

duly promulgated thereunder and the rules and standards issued from time to time pursuant thereto.

Airport fund.

(3) Municipalities operating airports may create a special airport fund, and provide that all receipts from the operation of such airports be deposited in such fund, which fund shall remain intact from year to year and may be pledged to the payment of aviation bonds, or kept for future maintenance, construction or operation of airports or airport facilities.

Lease or sell airport facilities.

(4) To lease such airports or other air navigation facilities, or real property acquired or set apart for airport purposes, to private parties, any municipal or state government or the national government, or any department of either thereof, for operation; to lease or assign to private parties, any municipal or state government or the national government, or any department of either thereof, for operation or use consistent with the purposes of this chapter, space, area, improvements, or equipment of such airports; to sell any part of such airports, other air navigation facilities or real property to any municipal or state government, or to the United States or any department or instrumentality thereof, for aeronautical purposes or purposes incidental thereto, and to confer the privileges of concessions of supplying upon its airports goods, commodities, things, services and facilities: *Provided*, That in each case in so doing the public is not deprived of its rightful, equal, and uniform use thereof.

Proviso.

Lease or sell real or personal property.

(5) Such municipality may sell or lease any property, real or personal, acquired for airport purposes and belonging to the municipality, which, in the judgment of its governing body, may not be required for aircraft landings, aircraft takeoffs or related aeronautic purposes, in accordance with the laws of this state, or the provisions of the charter of the municipality, governing the sale or leasing of similar municipally owned property: *Provided*, That any

Proviso.

such lease of real property for aircraft manufacturing or aircraft industrial purposes or to any manufacturer of aircraft or aircraft parts or for any other business, manufacturing or industrial purpose or operation relating to, identified with or in any way dependent upon the use, operation or maintenance of the airport may be made for any period not to exceed seventy-five years: *And provided further*, That any such lease of real property made for a longer period than ten years shall contain provisions requiring the municipality and the lessee to permit the rentals for each five year period thereafter, to be readjusted at the commencement of each such period, if written request for such readjustment is given by either party to the other at least thirty days before the commencement of the five year period in respect of which such readjustment is requested. If in such event the parties cannot agree upon the rentals for such five year period they shall submit to have the disputed rentals for such five year period adjusted by arbitration. The lessee shall pick one arbitrator and the governing body of the municipality one, and the two so chosen shall select a third, and such board of arbitrators, after a review of all pertinent facts may increase or decrease such rentals, or continue the previous rate thereof.

Proviso.

The proceeds of sale of any property the purchase price of which was obtained by the sale of bonds shall be deposited in the bond sinking fund. In the event all the proceeds of sale are not needed to pay the principal of bonds remaining unpaid, the remainder shall be paid into the airport fund of the municipality. The proceeds of sales of property the purchase price of which was paid from appropriations of tax funds shall be paid into the airport fund of the municipality.

Disposition of proceeds.

(6) To determine the charges or rental for the use of any properties under its control and the charges for any services or accommodations, and

Determine charges and rentals.

Proviso.

the terms and conditions under which such properties may be used: *Provided*, That in all cases the public is not deprived of its rightful, equal, and uniform use of such property. Charges shall be reasonable and uniform for the same class of service and established with due regard to the property and improvements used and the expense of operation to the municipality. The municipality shall have and may enforce liens, as provided by law for liens and enforcement thereof, for repairs to or improvement or storage or care of any personal property, to enforce the payment of any such charges.

Incidental powers.

(7) To exercise all powers necessarily incidental to the exercise of the general and special powers herein granted.

Construction of act.

SEC. 2. The provisions of section 1 of this act shall be construed as a restatement and continuation of existing law, and not as a new enactment. It shall not be construed as affecting any existing right acquired under its provisions, nor as affecting any proceeding instituted thereunder.

Act retroactive.

SEC. 3. The provisions of section 1 of this act are retroactive and any actions or proceedings had or taken under the provisions of RCW 14.08.120 through 14.08.150 or 14.08.320 are hereby ratified, validated and confirmed.

Emergency.

SEC. 4. This act is necessary for the immediate preservation of the public peace, health and safety, for the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House January 30, 1957.

Passed the Senate February 11, 1957.

Approved by the Governor February 19, 1957.

Explanatory note.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

Section 8, chapter 182, Laws of 1945 was divided by the 1941 Code Committee into RCW sections 14.08.120, 14.08.130, 14.08.140, 14.08.150 and

14.08.320. Note that subdivision (1) of section 8, chapter 182, Laws of 1945 (section 1 of this bill) is in reality introductory material which applies to all other subdivisions of this section. As presently codified in RCW 14.08.120 it appears to relate only to subdivisions (2) and (3) of section 8, chapter 182, Laws of 1945. In order to insure the operation of this section as it was enacted by the legislature, it appears necessary to recombine it as a single section, as is done in this bill. The language of the bill is that of section 8, chapter 182, Laws of 1945 with the exception of subdivision (6) which incorporates the language of section 1, chapter 178, Laws of 1953 which amend RCW 14.08.140, derived therefrom. The word "act" as it appeared in the 1945 act has been changed to "chapter" to conform to RCW style.

Explanatory
note.

CHAPTER 15.

[S. B. 45.]

WORLD FAIR COMMISSION.

AN ACT relating to the world fair commission and amending sections 2 and 3, chapter 307, Laws of 1955 and adding new sections to chapter 307, Laws of 1955, and declaring an emergency.

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

SECTION 1. Section 2, chapter 307, Laws of 1955 is amended to read as follows:

1955 c 307 § 2
amended.

There is created the world fair commission to consist of eight members to be selected as follows: Three by the governor, of whom one shall be designated by the governor as chairman of the commission, two by the president of the senate and two by the speaker of the house of representatives, to serve until April 30, 1959, and one member of the Seattle City Council, to be appointed by the Seattle City Council. The commission shall serve without compensation and shall meet at such time as it is called by the governor or by the chairman of the commission.

Commission
created.

Appointment
of members—
Terms—Meet-
ings.

SEC. 2. Section 3, chapter 307, Laws of 1955 is amended to read as follows:

1955 c 307 § 3
amended.

The commission shall make complete studies and investigations concerning the feasibility and desirability of such a world fair and shall cooperate with other civic groups studying this matter.

Commission
duties.