

CHAPTER 214.

[ S. B. 262. ]

PUBLIC UTILITIES—CITIES AND TOWNS.

AN ACT relating to cities and towns; authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate certain public utilities; and amending section 1, chapter 150, Laws of 1909 as last amended by section 1, chapter 163, Laws of 1933 (sec. 9488, Rem. Rev. Stat.; sec. 416-1, PPC).

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

SECTION 1. Section 1, chapter 150, Laws of 1909, as last amended by section 1, chapter 163, Laws of 1933 (sec. 9488, Rem. Rev. Stat.; sec. 416-1, PPC) is hereby amended to read as follows:

Authority granted.

Section 1. Any incorporated city or town within the state be, and hereby is, authorized to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate waterworks within or without its limits, for the purpose of furnishing such city or town and the inhabitants thereof, and any other persons, with an ample supply of water for all uses and purposes, public and private, including water power and other power derived therefrom, with full power to regulate and control the use, distribution and price thereof; to construct, condemn and purchase, purchase, acquire, add to, maintain and operate systems of sewerage, and systems and plants for garbage and refuse collection and disposal, with full jurisdiction and authority to manage, regulate, operate and control the same, and to fix the price of service thereof, within and without the limits of the corporation; to construct, condemn and purchase, purchase, acquire, add to, maintain and operate works, plants and facilities for the preparation and manufacture of all such stone or asphalt products or compositions or other materials which may be used in street construction or maintenance, together with the right to use the

Water supply.

Water power.

Sewer and garbage systems.

Materials for streets.

same, and also to fix the price of and to sell the same for use in the construction of municipal improvements of such city or town; to construct, acquire and operate public markets and one or more cold storage plants for the sale and preservation of butter, eggs, meats, fish, fruits, vegetables, and other perishable provisions; and to construct, condemn and purchase, purchase, acquire, add to, maintain and operate works, plants and facilities for the purpose of furnishing such city or town and the inhabitants thereof, and any other persons, with gas, electricity and other means of power and facilities for lighting, heating, fuel and power purposes, public and private, with full authority to regulate and control the use, distribution and price thereof, together with the right to handle and sell, or lease, any meters, lamps, motors, transformers and equipment or accessories of any and every kind, necessary and convenient for the use, distribution and sale thereof; to authorize the construction of such plant or plants by others for the same purpose, and to purchase such gas, electricity or power from either within or without the city or town for its own use and for the purpose of selling to its inhabitants and to other persons doing business within such city or town, and to regulate and control the use and price thereof; to construct, condemn and purchase, purchase, acquire, add to, maintain, operate or lease cable, electric and other railways, automobiles, motor cars, motor busses, auto trucks, and any and all other forms or methods of transportation of freight or passengers within the corporate limits of such city or town for the transportation of freight and passengers above, upon or underneath the ground, and to fix, alter, regulate and control the fares and rates to be charged therefor; and without the payment of any license fee or tax, or the filing of a bond with, or the securing of a permit from, the state, or any department thereof to engage in, carry on, and

Public markets and cold storage plants.

Gas, electricity, etc., for lights, heat, fuel and power.

Transportation systems.

operate the business of transporting and carrying passengers or freight for hire by any method or combination of methods that the legislative authority of any such city or town may by ordinance provide, with full authority to regulate and control the use and operation of vehicles or other agencies of transportation used for such business; and for the purposes aforesaid, it shall be lawful for any city or town in this state to take, condemn and purchase, purchase, acquire and retain water from any public or navigable lake or water course percolating or subterranean, or any underflowing water within the state, and, by means of aqueducts or pipe lines, to conduct the same to said city or town; and such city or town is hereby authorized and empowered to erect and build dams or other works across or at the outlet of any lake or water course in this state for the purpose of storing and retaining water therein up to and above high water mark; and for all the purposes of erecting such aqueduct, pipe lines, dams, or water works or other necessary structures in storing and retaining water, as above provided, or for any of the purposes provided for by this act, such city or town shall have the right to occupy and use the beds and shores up to the high water mark of any such water course or lakes, and to acquire the right by purchase, or by condemnation and purchase, or otherwise, to any water, water rights, easements or privileges named in this act, or necessary for any of said purposes, and any such city or town shall have the right to acquire by purchase or by condemnation and purchase any lands, properties or privileges necessary to be had to protect the water supply of such city or town from pollution: *Provided*, That should private property be necessary for any such purposes or for storing water above high water mark, such city or town may condemn and purchase, or purchase and acquire such private property: *And provided further*, That

Waters.

Dams.

Water works.

no such dam or other structure shall impede, obstruct or in any way interfere with public navigation of such lake or water course: *And provided further,* That no portion of this act shall empower any city or town in this state to maintain or operate any automobiles or motor cars in the unscheduled transportation of passengers nor to operate any auto trucks in the transportation of freight for compensation. Exclusions.

Passed the Senate March 9, 1947.

Passed the House March 8, 1947.

Approved by the Governor March 19, 1947.

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## CHAPTER 215.

[ S. B. 263. ]

### UNEMPLOYMENT COMPENSATION.

AN ACT relating to unemployment compensation, amending chapter 35 of the Laws of 1945, and repealing sections 65, 66, 108, 109 and 116 of chapter 35 of the Laws of 1945.

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

SECTION 1. Section 7 of chapter 35 of the Laws of 1945 is hereby amended to read as follows:

Section 7. *Commissioner.* "Commissioner" means the administrative head of the State Employment Security Department referred to in this act. Definitions. "Commissioner."

SEC. 2. Section 10 of chapter 35 of the Laws of 1945 is hereby amended to read as follows:

Section 10. *Employing Unit.* "Employing unit" means any individual or any type of organization, including any partnership, association, trust, estate, joint-stock company, insurance company, or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or subsequent to January 1, 1937, had in "Employing unit."