

rejection at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1940, by the officers and in the manner provided by section 5416 of Remington's Revised Statutes.

Passed the Senate March 7, 1939.

Passed the House March 7, 1939.

Approved by the Governor March 10, 1939.

CHAPTER 84.

[S. B. 109.]

TUNA FISH.

AN ACT relating to tuna, providing for a privilege fee thereon, defining offenses, providing penalties and creating a lien on canneries, packing plants, warehouses, scows and boats, and declaring that this act shall take effect March 31st, 1939.

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

SECTION 1. There shall be paid to the State Treasurer by every person, firm or corporation operating within the State of Washington as a canner, buyer, freezer, wholesale dealer or broker for the privilege of operating within the State of Washington as a canner, buyer, freezer, wholesale dealer or broker in addition to all other licenses or fees provided by law the sum of two and one-half cents ($2\frac{1}{2}\phi$) per 100 pounds upon all tuna handled.

Privilege
tax.

The privilege fee herein required shall be paid to the State Treasurer on March 1 and September 1 or at such other times as the director of fisheries may order and direct. For the purposes of determining the amount of tuna handled, each person, firm or corporation subject to the provisions of this act shall furnish the State Treasurer with a report showing the total number of pounds of tuna received, the total

Report.

weight to be computed in the round, upon blanks furnished upon request by the director of fisheries. It shall be the duty of the State Treasurer upon receipt of any such report to endorse thereon his duplicate receipt for taxes, charges and fees, if any, accompanying the report and transmit the report to the director of fisheries and deposit the monies received in the state treasury to the credit of the fisheries fund.

Determina-
tion of
disputes
final.

It is the intention of this act that only one privilege fee shall be collected for each and every pound of tuna handled and in order that this end may be accomplished, the director of fisheries and the State Treasurer are hereby authorized to determine finally any dispute arising out of the operation and enforcement of this section.

Lien.

The privilege fee herein required shall constitute a first lien upon the cannery, packing plant, warehouse, scow or boat and any other equipment used in the handling or canning of said tuna.

The State Treasurer and the director of fisheries shall have and hereby are granted the right and power to make such rules, regulations and orders and require such reports to be made as in their judgment shall be necessary to insure the collection and payment of the privilege fee herein required and may in their discretion require a bond from any such person, firm or corporation engaged in the business of buying or handling tuna or in the canning of tuna, guaranteeing the payment of said fee.

It shall be unlawful for any person to falsify any of the reports or to violate any of the rules, regulations or orders made or required by the State Treasurer or the director of fisheries or to violate any of the provisions of this section.

Penalty.

Any person, firm or corporation violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined

not less than \$250 nor more than \$1,000, or imprisonment in the county jail for not less than thirty days nor more than six months, or by both such fine and imprisonment.

SEC. 2. This act is necessary for the support of the state government and its existing public institutions and shall take effect March 31st, 1939. Effective immediately.

Passed the Senate March 2, 1939.

Passed the House March 7, 1939.

Approved by the Governor March 11, 1939.

CHAPTER 85.

[S. B. 110.]

FLOOD CONTROL.

AN ACT relating to flood control and the powers and duties of the supervisor of hydraulics relative thereto and amending sections 6 and 7, chapter 159, Laws of 1935.

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

SECTION 1. That section 6, chapter 159, Laws of 1935, be and the same is hereby amended to read as follows: Amends
§ 6, ch. 159,
Laws 1937.

Section 6. With respect to such features as may affect flood conditions, the state supervisor of hydraulics shall have authority to examine, approve or reject designs and plans for any structure or works, public or private, to be erected or built or to be reconstructed or modified upon the banks or in or over the channel or over and across the flood plain or floodway of any stream or body of water in this state. Approval of
structures.

SEC. 2. That section 7 of chapter 159, Laws of 1935, be amended to read as follows: Amends
§ 7, ch. 159,
Laws 1935.

Section 7. Any existing structures or works hereafter reconstructed or modified and their opera-