

CHAPTER 123.

[S. B. 225.]

CORPORATIONS OPERATING UNDER SUPERVISION OF
PUBLIC SERVICE DEPARTMENT.

AN ACT relating to fees to be paid by persons, firms and corporations subject to regulation by the Department of Public Service, and amending sections 1, 3, and 4 of chapter 158 of the Laws of 1937.

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

Amends
§ 1, ch. 158,
Laws 1937.

SECTION 1. That section 1 of chapter 158 of the Laws of 1937 be and the same hereby is amended to read as follows:

Public
utility
companies,
statement
and payment
of fees.

Section 1. Every person, firm or corporation subject to regulation by the Department of Public Service, except auto transportation companies operating under the provisions of chapter 111 of the Laws of 1921 as amended, steamboat companies, whether operating under the provisions of chapter 248 of the Laws of 1927 or chapter 117 of the Laws of 1911, wharfingers or warehousemen, motor freight carriers operating under the provisions of chapter 184 of the Laws of 1935 as amended, and storage warehousemen operating under the provisions of chapter 154 of the Laws of 1933 as amended, shall, on or before the first day of April of 1937 and of each year thereafter, file with the Department a statement on oath showing its gross operating revenue from intra-state operations for the preceding calendar year or portion thereof and pay to the Department a fee equivalent to 1/10 of one per cent of the first \$50,000.00 of such gross operating revenue, plus 2/10 of one per cent of any such gross operating revenue in excess of \$50,000.00: *Provided*, That the fee so paid shall in no case be less than one dollar. The percentage rates of gross operating revenue to be paid in any year as herein provided may be decreased by the Department for any or

Excepting
certain
companies.

each class of persons, firms and corporations subject to the payment of such fees, by general order entered before March first of such year, and for such purpose such persons, firms and corporations shall be classified as follows: Electric companies, gas companies, water companies, telephone companies, telegraph companies, and irrigation companies shall constitute Class One; and railroad companies, street railroad companies, express companies, sleeping car companies and toll bridge companies shall constitute Class Two. Every other person, firm or corporation subject to regulation by the Department, for whom regulatory fees are not otherwise fixed by law, shall pay fees in accordance with the provisions of this section, and shall constitute additional classes according to kinds of businesses. In fixing such rates each year the Department shall take into consideration all monies then on hand in the public service revolving fund and all such fees currently to be paid into said fund, to the end that the fees so collected from the several classes of such companies shall be approximately the same as the reasonable cost of supervising and regulating such classes respectively.

SEC. 2. That section 3 of chapter 158 of the Laws of 1937 be and the same hereby is amended to read as follows:

Amends
§ 3, ch. 158,
Laws 1937.

Section 3. Every storage warehouseman operating under the provisions of chapter 154 of the Laws of 1933 as amended, shall, on or before the thirtieth day of September, 1937, and of each year thereafter, file with the Department a statement on oath showing his gross operating revenue from intra-state operations for the preceding fiscal year ending June thirtieth or portion thereof, and pay to the Department one per cent of such gross operating revenue: *Provided*, That the fee so paid shall in no case be less than ten dollars. The percentage

Storage
warehouse-
man, state-
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payment of
fee.

rate of gross operating revenue to be paid in any year as herein provided may be decreased by the Department by general order entered before September first of such year. In fixing such rate the Department shall take into consideration all monies on hand in the public service revolving fund and fees currently to be paid into said fund to the end that the monies collected hereunder shall be approximately the same as the reasonable cost of regulating storage warehousemen.

Amends
§ 4, ch. 158,
Laws 1937.

SEC. 3. That section 4 of chapter 158 of the Laws of 1937 be and the same hereby is amended to read as follows:

Steamboat
company,
statement
and payment
of fee.

Section 4. Every steamboat company, whether operating under the provisions of chapter 248 of the Laws of 1927 or chapter 117 of the Laws of 1911, and every wharfinger or warehouseman as defined by chapter 117 of the Laws of 1911, shall, on or before the first day of April of 1937 and of each year thereafter, file with the Department a statement on oath showing its gross operating revenue from intra-state operations for the preceding calendar year or portion thereof and pay to the department a fee of $\frac{2}{5}$ of one per cent of the amount of such gross operating revenue: *Provided*, That the fee so paid shall in no case be less than five dollars. The percentage rate of gross operating revenue to be paid in any year as herein provided may be decreased by the Department by general order entered before March first of such year. In fixing such rate the Department shall take into consideration all monies on hand in the public service revolving fund and fees currently to be paid into said fund to the end that the fees so collected from the steamboat companies and wharfingers or warehousemen as a group shall be approximately the same as the reasonable cost of supervising and regulating such companies as a group. The Department

shall also collect the following miscellaneous fees: Application for a certificate of public convenience and necessity, or to amend certificate, \$50.00; application to sell, lease, mortgage or transfer certificate or any interest therein, \$10.00.

Passed the Senate February 20, 1939.

Passed the House March 7, 1939.

Approved by the Governor March 15, 1939.

CHAPTER 124.

[S. B. 226.]

SECURITIES ACT.

AN ACT providing for the regulation and supervision of the issuance and sale of certain securities, to prevent fraud in the sale thereof; amending chapter 69, Laws of 1923, as amended; providing for the issuance of pre-organization subscriptions, the payment of consideration therefor, and the licensing thereof; prescribing fees for pre-organization permits; declaring voidable sales made without a permit in violation of said chapter or in violation of a permit issued under said chapter; relating to actions for redress on accounts of sales made contrary to the provisions of said chapter and amendments thereof; prescribing the period of limitation applicable to such actions, existing or hereafter arising; and amending chapter 69, Laws of 1923 by adding thereto two new sections to be designated section 3a and section 18a.

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

SECTION 1. That section 2 of chapter 69 of the Laws of 1923, as amended by chapter 97 of the Laws of 1935, and chapter 182 of the Laws of 1937 (the same being section 5853-2 of Remington's Revised Statutes), be amended to read as follows:

Amends
§ 5853-2 Rem.
Rev. Stat.

Section 2. DEFINITION OF TERMS. The following words have in this act the meaning attached to them in this section, unless otherwise apparent from the context:

Definitions:

(1) The word "company" includes all domestic and foreign private corporations, associations, syndi-

"Company."