

(d) The provisions of section 13 of this act shall apply when any such bridge or bridges or ferries are acquired by purchase pursuant to this section.

Passed the House March 2, 1945.

Passed the Senate March 7, 1945.

Approved by the Governor March 19, 1945.

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## CHAPTER 267.

[ H. B. 494. ]

### DEPARTMENT OF TRANSPORTATION—DEPARTMENT OF PUBLIC UTILITIES.

AN ACT relating to state government; creating a Department of Transportation and a Department of Public Utilities; providing for the appointment of directors thereof and prescribing their powers and duties; abolishing the Department of Public Service; creating funds and abolishing the Public Service Revolving Fund; providing for the transfer of property and business of such department to the departments created by this act, and declaring that this act shall take effect April 1, 1945.

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

Creation of  
Departments  
of Transporta-  
tion and  
Public  
Utilities.

SECTION 1. There are hereby created two departments of state government which shall be known, respectively, as the Department of Transportation and the Department of Public Utilities. The chief executive officer of the Department of Transportation shall be designated the Director of Transportation and the chief executive officer of the Department of Public Utilities shall be designated the Director of Public Utilities. Each such director shall be appointed by the Governor, with the consent of the Senate, and shall hold office at the pleasure of the Governor. If the Senate be not in session when this act takes effect or if a vacancy occur while the Senate is not in session, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall present to the Senate his nomination or nominations for the offices to be filled.

SEC. 2. The Director of Transportation shall have general charge, supervision and direction of the Department of Transportation and shall have power to employ such accounting, engineering, expert, clerical and other office personnel as may be necessary to the proper administration of the department.

Powers of  
Director of  
Transporta-  
tion.

SEC. 3. The Director of Public Utilities shall have general charge, supervision and direction of the Department of Public Utilities and shall have power to employ such accounting, engineering, expert, clerical and other office personnel as may be necessary to the proper administration of the department.

Powers of  
Director of  
Public  
Utilities.

SEC. 4. The Director of Transportation and Director of Public Utilities shall have power to make such rules and regulations as may be necessary to carry out the powers and duties of their respective departments.

Rule making  
powers.

SEC. 5. The Director of Transportation shall have power and it shall be his duty:

Duties of  
Director of  
Transporta-  
tion.

(1) To exercise all the powers and perform all the duties now vested in, and required to be performed by, the Director of Public Service, through and by means of the Division of Transportation;

(2) To regulate in the public interest, as provided by the public service laws of this state, the rates, services, facilities and practices of all persons, firms and corporations engaging in the transportation within this state of persons or property for compensation by whatever means, and related activities; including, but not limited to, air transportation companies, auto transportation companies, express companies, freight and freight line companies, motor freight companies, motor transportation agents, private car companies, railway companies, sleeping car companies, steamboat companies, street railway companies, toll bridge companies, storage warehousemen and wharfingers and warehousemen;

(3) To exercise such other powers and perform such other duties as may be prescribed by law;

(4) To appoint such qualified assistants as may be necessary to carry on the administrative work of the department and to designate one or more of such assistants to perform such duties in the name of the Director as he may deem expedient.

Duties of Director of Public Utilities.

SEC. 6. The Director of Public Utilities shall have the power and it shall be his duty:

(1) To exercise all the powers and perform all the duties now vested in, and required to be performed by, the Director of Public Service, through and by means of the Division of Public Utilities;

(2) To regulate in the public interest, as provided by the public service laws of this state, the rates, services, facilities and practices of all persons, firms and corporations engaging within this state in the business of supplying any utility service or commodity to the public for compensation, and related activities; including, but not limited to, electric companies, gas companies, irrigation companies, telegraph companies, telephone companies and water companies;

(3) To exercise such other powers and perform such other duties as may be prescribed by law;

(4) To appoint such qualified assistants as may be necessary to carry on the administrative work of the department and to designate one or more of such assistants to perform such duties in the name of the Director as he may deem expedient.

Effective date.

SEC. 7. This act is necessary for the support of the state government and its existing public institutions and shall take effect April 1, 1945, on which date all powers heretofore exercised and all duties heretofore performed by the Department of Public Service, through and by means of the Division of Transportation and the Division of Public Utilities, shall devolve, respectively, upon the Department of

Transportation and the Department of Public Utilities created by this act. The Department of Public Service, together with the divisions thereof, is hereby abolished, but such abolishment shall not in any way affect, impair or abrogate any of the powers conferred by the statutes whereby such department and divisions were created or those conferred by any other statute heretofore enacted pertaining to the regulation of public service companies. The incumbents of the Department of Public Service and its divisions abolished by this act may continue to hold office and perform any act required of them by law until such time after April 1, 1945, as the Department of Transportation and the Department of Public Utilities are organized and the directors thereof are duly appointed and qualified and any act performed by them prior to that time shall be valid and binding.

SEC. 8. Upon the organization of the departments created by this act and the appointment and qualification of directors thereof, all funds, books, papers, documents, records, data, files and all other equipment and property belonging to the Department of Public Service and its divisions abolished by this act, together with pending business pertaining thereto, shall be delivered to the appropriate department created by this act. If any question shall arise as to the proper division or disposition of such property or business, the matter shall be referred to the Governor for determination.

Division  
of Records  
and Equip-  
ment.

SEC. 9. Any statute heretofore enacted which affects the regulation of public service companies generally, and without specification as to type or class, shall continue to be given application to all such companies whether by this act they are brought within the jurisdiction of the Department of Transportation or the Department of Public Utilities.

Effect of  
prior laws.

SEC. 10. The Public Service Revolving Fund is abolished as of April 1, 1945, and as of such date

Creation  
of funds.

there is created in the Department of Transportation a Transportation Revolving Fund and in the Department of Public Utilities a Public Utilities Revolving Fund, and there shall be transferred to each such fund its proper proportion of monies which then remain on hand to the credit of the Public Service Revolving Fund, subject to outstanding warrants and other obligations chargeable to appropriations previously made from the Public Service Revolving Fund. From and after the effective date of this act, regulatory fees payable by public service companies shall continue to be payable as heretofore, but shall be payable into either the Transportation Revolving Fund or the Public Utilities Revolving Fund on the basis of whether the remitting company or class of company is subject to the jurisdiction of the Department of Transportation or the Department of Public Utilities.

Passed the House March 7, 1945.

Passed the Senate March 6, 1945.

Approved by the Governor March 20, 1945.