

FROM THE CAPITOL BUILDING CONSTRUCTION FUND.

Capitol buildings.

For additional members' desks in legislative chambers, necessary painting of inside walls of buildings, alterations of buildings, and equipment.. 5,000.00

FROM THE MOTOR VEHICLE FUND.

Highway department.

For the director of highways:

For remodeling garage building at Olympia to provide office space for district offices..... 6,000.00

FROM THE GENERAL FUND.

Court costs.

For criminal cost bills, deficiency..... 15,000.00

For court costs in insanity cases, deficiency..... 2,000.00

Presidential electors.

For presidential electors..... 300.00

Effective immediately.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the Senate February 16, 1933.

Passed the House March 1, 1933.

Approved by the Governor March 8, 1933.

CHAPTER 71.

[S. B. 267.]

PUGET SOUND-GRAYS HARBOR-WILLAPA HARBOR CANAL.

AN ACT providing for the survey, definite location, construction, maintenance, operation and disposal to the United States of canals connecting Puget Sound with Grays Harbor, Grays Harbor with Willapa Harbor and Willapa Harbor with the Columbia River, creating a canal commission, defining its powers and duties, making an appropriation and for other purposes, declaring an emergency and providing that this act shall take effect immediately.

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

Purpose of act.

SECTION 1. The purposes of this act are to furnish relief for unemployment, to stabilize employment, to aid commerce and navigation, to promote the public welfare and provide for the national defense.

SEC. 2. A commission is hereby created to be known as the canal commission, to consist of five members, to be appointed by the governor of the State of Washington, one of whom shall be a resident of Grays Harbor county, one a resident of Thurston county, and one a resident of Pacific county and two members at large. Said members to hold office for the term of five years: *Provided, however,* That the appointees of the commission first appointed shall hold office for terms as follows: one for five years, one for four years, one for three years, from the counties of Thurston, Grays Harbor and Pacific, respectively, and one member at large for two years, and one member at large for one year, subject to removal by the governor of the State of Washington, in his discretion. The members of the commission shall serve without compensation, but shall be allowed actual expenses incurred in the performance of their duties. Said commission shall have, and exercise, the powers conferred by this act.

Canal com-  
mission.Terms of  
office.

SEC. 3. The commission shall be, and is hereby, empowered:

Powers.

1. To survey, determine and definitely locate a route for canals connecting Puget Sound with Grays Harbor, Grays Harbor with Willapa Harbor, and Willapa Harbor with the Columbia river; to determine the economic feasibility of said canals, and within three months from the date of approval of this act, to submit to the governor of the State of Washington a full and detailed report of said survey; definite location of said canals and report on the economic feasibility thereof. Said commission shall employ the necessary surveyors, engineers and workmen for said purposes. All expenses thereof shall be paid out of an appropriation provided in this act for that purpose, and in the manner hereinafter provided; the commission shall

Survey.

have authority with the cooperation of the state director of highways to make proper use of the facilities, equipment and advice of the department of highways in the making of preliminary surveys of the canals.

Proclamation of Governor.

2. Within thirty days after said report is filed the governor of the State of Washington, if satisfied that the construction and operation of said canals, or any one or more thereof, is justified, shall make public proclamation to that effect.

Further powers.

SEC. 4. Thereupon said commission shall be authorized, and it is hereby granted, the following powers:

Canal: Construction, maintenance, operation of.

1. To construct, maintain and operate a canal connecting Puget Sound with Grays Harbor, a canal connecting Grays Harbor with Willapa Harbor, and a canal connecting Willapa Harbor with the Columbia river, at the several routes of definite location; each of said canals to be constructed and maintained of sufficient size and capacity to permit navigation by sea-going vessels; and also to construct, maintain and operate locks, bridges, viaducts, abutments, telephone lines, telegraph lines, wireless transmitting stations, wireless receiving stations; and any and all other forms of property necessary or useful in the construction, operation or maintenance of said canals, or either of them: *Provided, however,* That all bridges shall be so constructed as to permit the free passage of vessels through said canals, subject only to temporary interruptions, under regulations to be promulgated by the commission.

Bridges.

Perpetual succession. Seal.

2. To have perpetual succession.

3. To adopt a seal and alter it at pleasure.

Acquisition of property.

4. To acquire by purchase, gift, or condemnation, or to lease of and from the government of the United States, from the State of Washington, or any municipality therein, or from any person,

firm or corporation, lands, rights-of-way, easements, rights in, over or across lands or waters necessary or proper to be used for the construction, maintenance or operation of said canals, or any one of them. The exercise of the right of eminent domain shall be in the manner provided by law for the condemnation by the State of Washington of lands for state highway purposes. All eminent domain proceedings shall be prosecuted in the name of the canal commission.

Eminent domain.

5. To employ engineers, attorneys, labor and all other help necessary for the purposes of carrying on the business of the commission and to do all acts necessary for the full exercise of all powers granted by this act.

Assistants.

6. With the approval of the state board of land commissioners of the State of Washington the commission shall be, and is hereby, authorized to enter upon the public lands of the State of Washington, including tidelands, harbor areas, and the navigable waters of the State of Washington.

Entry upon public lands.

7. To establish, promulgate, and from time to time change the tolls that shall be levied for the use of said canal; said tolls shall be uniform upon all ships, in proportion to tonnage: *Provided, however,* That foreign-owned ships may be charged toll at a higher rate than ships owned by citizens of the United States: *Provided, further,* That said tolls may be based upon gross or net registered tonnage, displacement tonnage, or otherwise, and may be based on one form of tonnage for warships, and another form of tonnage for ships of commerce.

Tolls.

Foreign ships.

Basis of toll.

The rate of tolls may be lower on vessels in ballast than on vessels carrying passengers or cargo: *Provided, further,* That timber products may be towed through said canal at such times and under such regulations as shall be prescribed by the commission, at such uniform charges and tolls as it shall

Timber products.

U. S. owned  
vessels.

prescribe: *Provided, further,* That the commission is hereby authorized to make special tolls for all vessels belonging to the United States, or accept an appropriation, or appropriations, from the United States in lieu of tolls.

Regulation  
of operations.

8. To make, and from time to time amend, regulations governing the operations of said several canals, and the passage and control of ships, barges, scows and rafts through the same, or any part thereof, including the locks and approaches thereto.

Maintenance.

9. To furnish and maintain all facilities proper for the passage of ships, barges, scows and rafts.

Incurring of  
indebtedness.

10. To incur indebtedness in the construction, maintenance and operation of said canals. All such indebtedness shall be paid solely out of revenue derived from operation of said canals and the use of appropriations made by the State of Washington or by the United States. To issue bonds to evidence such indebtedness in such amounts and upon such terms as shall be prescribed by the commission.

Issue  
of bonds.

Workmen's  
compensation  
act.

SEC. 5. Any and all work and labor done in the construction, maintenance, or operation of the canal, either directly or indirectly, which shall come within the classification of extra-hazardous employment according to the statutes of the State of Washington, shall come under the provisions of the workmen's compensation act of the State of Washington, and of the several amendments of said act.

Commission  
organization.

SEC. 6. The canal commission shall organize by the election, out of its own members, of a president and a secretary. The commission shall, by resolution, adopt rules governing the transaction of its business. All proceedings of the canal commission shall be by motion or resolution recorded in a book, or books, kept for such purposes, which

Records.

shall be public records. The treasurer of the State of Washington shall be the treasurer of the commission, and all funds of the commission shall be paid to him. All funds shall be paid out on warrants drawn and signed by the secretary upon order of or vouchers approved by the commission. The books of entry and accounts of the commission shall be subject to audit by the state board of accountancy.

State  
Treasurer.

SEC. 7. The legislative intent is that the construction of said canals is to furnish the maximum amount of individual employment.

Intent  
of act.

SEC. 8. Debts or obligations incurred by the commission shall not be debts or obligations of the State of Washington, nor of any subdivision thereof, nor of any municipal corporation, and such debts and obligations shall be paid solely out of canal revenues or appropriations.

Debts.

SEC. 9. In the event any money should be borrowed from the Reconstruction Finance Corporation or any similar corporation created by act of congress, the canal commission may and is hereby empowered to comply with any provisions or requirements of the act of congress known as the Reconstruction Finance Corporation Act or rules and regulations made in accordance with the provisions thereof or any other act of congress similar to said Reconstruction Finance Corporation Act.

R. F. C.

SEC. 10. The canal commission is hereby authorized, empowered and directed to negotiate with and cooperate with the duly authorized officers and agents of the government of the United States of America for the purpose of inducing the said government of the United States of America to assume the construction, operation or maintenance of any of the canals provided for in this act.

Obtain gov-  
ernment aid.

Release  
to U. S.

SEC. 11. In the event that the United States accepts said canals, the canal commission is hereby authorized to release said canals unto the United States and to have no further authority, responsibility or liability in connection therewith.

Appropriation.

SEC. 12. For the purpose of carrying out the provisions of this act, there is hereby appropriated from the general fund, the sum of fifty thousand dollars (\$50,000.00) or so much thereof as may be necessary.

Effective immediately.

SEC. 13. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 25, 1933.

Passed the House March 1, 1933.

Approved by the Governor March 8, 1933.

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## CHAPTER 72.

[H. B. 49.]

### MOTOR BOATS.

AN ACT relating to and regulating the use and operation of motor driven boats and vessels on waters over which the State of Washington has police jurisdiction, and providing penalties for violation thereof.

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

"Darkness."

SECTION 1. "Darkness" is herein defined to be that period between one-half hour after sunset and one-half hour before sunrise.

"Waters."

"Waters," as used herein, are defined as any lake, pond or other body of water.

"Motor driven boats and vessels."

"Motor driven boats and vessels" are defined herein as all boats and vessels which are self propelled.