

CHAPTER 272.

[S. B. 85.]

COUNTY FERRY DISTRICTS.

AN ACT relating to the establishment of a County Ferry District as a municipal corporation, granting right of eminent domain and exempting it from operation of the public service law of the State of Washington.

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

Establishment authorized.

Application.

Filing.

Certification.

Election.

Votes necessary.

Area of district.

SECTION 1. The establishment of a Ferry District is hereby authorized. Written application for the formation of such a district signed by at least twenty-five per cent (25%) of the registered voters, who reside and own real estate in the proposed district, shall be filed with the Board of County Commissioners. The Board shall immediately transmit the application to the proper registrar of voters for the proposed district who shall check the names, residence and registration of the signers with the records of his office and shall, as soon as possible, certify to said Board the number of qualified signers. If the requisite number of signers is so certified, the Board shall thereupon place the proposition, "Shall a Ferry District be established in the following area to operate ferries between the following termini: (describing the proposed district and ferry routes)?" upon the ballot for vote of the people of the proposed district at the next election, general or special. If sixty per cent (60%) of the voters on such proposition shall vote in favor of the proposition, the Board shall, by resolution, declare the district established. If the requisite number of qualified persons have not signed the application, further signatures may be added and certified until the requisite number have signed and the above procedure shall be thereafter followed.

The area of such district shall be the area within any island or group of islands outside incorporated

cities and towns, or such portion or portions thereof as specifically defined in said application. When established, a Ferry District shall be a municipality as defined by the statutes of the State of Washington and entitled to all the powers conferred by law and exercised by municipal corporations in this state. The Ferry District is hereby empowered to levy not more than five mills against the assessed valuation of the property lying within the said Ferry District.

District a municipal corporation.

May levy up to five mills.

Said Ferry District shall have the right of eminent domain according to the laws of the State of Washington.

Eminent domain.

Said Ferry District is hereby exempt and excepted from the provisions of the public service act and is not subject to the control, rules and regulations of the Department of Transportation; and it shall not be necessary for a Ferry District to apply for or obtain a certificate of public convenience and necessity.

Exempt from regulation by Department of Transportation.

Said Ferry District may operate any vessel over its authorized routes upon any of the waters of the state of Washington that touch any of the area of said district.

May operate vessels.

SEC. 2. The governing body of such Ferry District shall be a Board of Ferry Commissioners consisting of three members. The first three commissioners shall be elected at the same election at which the proposition is submitted to the voters as to whether the Ferry District shall be formed, and shall be elected to hold office respectively for the terms of one, two, and three years and until their respective successors are elected. The terms for each nominee for Ferry Commissioner to be expressed on the ballot. Thereafter there shall be held each year an election for a Ferry Commissioner to hold office for three years and until his successor is elected and qualified. No person shall be eligible to hold office as Ferry Commissioner unless he shall be a qualified

Board of Ferry Commissioners.

First three commissioners.

Terms.

Annual election.

Term of three years.

Qualification. voter and landowner in said Ferry District. After the first election the time of the election shall be fixed by the Ferry Commissioners. Vacancies occurring may be filled by the remaining Commissioners for the remainder of the unexpired term. Each Commissioner shall take and file his oath in writing that he will honestly and to the best of his ability carry on the affairs of the Ferry District.

Time of election.

Vacancies.

Oath.

Liberal construction. SEC. 3. This act shall be construed liberally, so far as may be necessary for the purpose of carrying out its general intent, which is, the creation of a ferry district for the purpose of owning and operating vessels for the public benefit and convenience of the district.

Saving clause. SEC. 4. In the event that any part of this act shall be found to be unconstitutional, the remaining portion shall remain in full force and effect.

Landing facilities on mainland. SEC. 5. Nothing contained in this act shall abridge or deny the right of a Ferry District to acquire or maintain suitable landing facilities on the mainland.

Passed the Senate March 9, 1947.

Passed the House March 9, 1947.

Approved by the Governor March 21, 1947.