

Penalty.

SEC. 3. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed twenty-five dollars for every such offense.

Passed the House February 21, 1963.

Passed the Senate March 12, 1963.

Approved by the Governor March 22, 1963.

CHAPTER 70.

[H. B. 343.]

STATE HIGHWAYS—UTILITY FRANCHISES.

AN ACT relating to public highways; and amending section 47.44.010, chapter 13, Laws of 1961 as amended by section 26, chapter 21, Laws of 1961 extraordinary session and RCW 47.44.010.

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

RCW 47.44.010 amended.

SECTION 1. Section 47.44.010, chapter 13, Laws of 1961 as amended by section 26, chapter 21, Laws of 1961 extraordinary session and RCW 47.44.010 are each amended to read as follows:

Wire and pipe line and tram and railway franchises on state highways —Application —Notice—Hearing.

The highway commission shall have the power to grant franchises to persons, associations, private or municipal corporations, the United States government or any agency thereof, to use any state highway for the construction and maintenance of water pipes, flume, gas pipes, telephone, telegraph and electric light and power lines and conduits, trams or railways, and any other such facilities. All applications for such franchise shall be made in writing and subscribed by the applicant, and shall describe the state highway or portion thereof over which franchise is desired and the nature of the franchise. Upon the filing of any such application a time and place for hearing the same shall be fixed and a notice

thereof shall be given in the county or counties in which any portion of the state highway upon which such franchise is applied for is located, at the expense of the applicant, by posting written or printed notices in three public places at the county seat of such county or counties for at least twenty days before the day fixed for such hearing, and by publishing a like notice in three successive weekly issues of a newspaper having a general circulation in such county or counties, the last publication to be at least five days before the day fixed for the hearing; which notice shall state the name or names of the applicant or applicants, a description of the state highway or part thereof over which the franchise is applied for, and the time and place of such hearing. It shall be the duty of the county auditor of the respective counties to cause such notices to be posted and published and to file proof of such posting and publication with the highway commission.

Sufficient copies of the notice required by this section shall be sent directly to the county auditor of the respective counties at least forty-five days prior to the date fixed for the hearing.

Passed the House February 21, 1963.

Passed the Senate March 11, 1963.

Approved by the Governor March 22, 1963.