

CHAPTER 248.

[S. B. 160.]

PUBLIC UTILITIES—REGULATION OF STEAMBOAT COMPANIES.

AN ACT relating to steamboat companies, providing for additional regulation and amending Chapter 117 of the Laws of 1911 by adding thereto Sections 25-a and 25-b.

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

§ 1, ch. 33, L. 1919; § 10361-A, Rem. Stat; § 5552-A, Pierce's Code.

SECTION 1. That chapter 117 of the Laws of 1911 be amended by adding thereto a section to be numbered 25-a and to read, as follows:

Certificate of necessity required to operate vessel or ferry.

Section 25-a. No steamboat company shall hereafter operate any vessel or ferry for the public use for hire between fixed termini or over a regular route upon the waters within this state, including the rivers and lakes and Puget Sound, without first applying for and obtaining from the department of public works a certificate declaring that public convenience and necessity require such operation: *Provided*, That no certificate shall be required for a vessel primarily engaged in transporting freight other than vehicles, whose gross earnings from the transportation of passengers and/or vehicles, are not more than ten per cent (10%) of the total gross earnings of such vessel: *Provided*, That nothing herein shall be construed to affect the right of any county within this state to construct, condemn, purchase, operate or maintain, itself or by contract, agreement or lease, with any person, firm or corporation, ferries or boats across or wharfs at or upon the waters within this state, including rivers and lakes and Puget Sound, provided such operation is not over the same route or between the same districts, being served by a certificate carrier, nor shall this act be construed to affect, amend or in-

When certificate not required for freight carriers.

Counties may operate ferries and wharves.

May not compete with certificate carrier.

validate any contract entered into prior to January 15, 1927, for the operation of ferries or boats upon the waters within this state, which was entered into in good faith by any county with any person, firm or corporation. Upon the filing of an application the department shall give reasonable notice to any common carrier which might be adversely affected, of the time and place for hearing on such application. The department shall have power after hearing, to issue the certificate as prayed for, or to refuse to issue it, or to issue it for the partial exercise only of the privilege sought, and may attach to the exercise of the rights granted by said certificate such terms and conditions as in its judgment the public convenience and necessity may require; but the department shall not have power to grant a certificate to operate between districts and/or into any territory already served by an existing certificate-holder, unless such existing certificate-holder shall fail and refuse to furnish reasonable and adequate service. *Provided*, A certificate shall be granted when it shall appear to the satisfaction of the department that such steamboat company was actually operating in good faith over the route for which such certificate shall be sought, on January 15, 1927: *Provided, further*, That in case two or more steamboat companies shall upon said date have been operating vessels upon the same route or between the same districts the department of public works shall determine after public hearing whether one or more certificates shall issue, and in determining to whom a certificate or certificates shall be issued, the department shall consider all material facts and circumstances including the prior operation, schedules and services rendered by either of said companies, and in case more than one certificate shall issue, the department shall fix and determine the schedules and services of the companies to whom such certifi-

Prior contracts not invalidated.

Application for certificate.

Notice of hearing.

Discretion of department.

No certificate if territory has service.

Certificate if operating prior to Jan. 15, 1927.

Two or more carriers on same route.

To whom certificate issues.

Fixing schedules.

cates are issued to the end that duplication of service be eliminated and public convenience be furthered.

Certificate non-transferable without authority of department.

No certificate or any right or privilege thereunder held, owned or obtained under the provisions of this act shall be sold, assigned, leased, mortgaged or in any manner transferred, either by the act of the parties or by operation of law, except upon authorization by the department first obtained. The department may at any time by its order duly entered after hearing had upon notice to the holder of any certificate hereunder and an opportunity to such holder to be heard, suspend, revoke, alter, or amend any certificate issued under the provisions of this act, if the holder thereof wilfully violates or fails to observe the provisions or conditions of the certificate or the orders, rules or regulations of the department, or the provisions of this act.

Suspension, etc., of certificate for breaching regulations.

§ 1, ch. 33, L. 1919; § 10361-B, Rem. Stat.; § 5552-A, Pierce's Code.

SEC. 2. That chapter 117 of the Laws of 1911 be amended by adding thereto a section to be numbered 25-b and to read, as follows:

Annual statement by certificate holder.

Section 25-b. Every steamboat company holding a certificate under this act, shall between the 1st and 15th days of March of each year file with the department of public works, a statement showing the gross operating revenue of such company for the preceding calendar year, or portion thereof, and shall pay to the said department a fee not to exceed one-fifth of one per cent of the amount of such gross operating revenue: *Provided*, The fee so paid shall in no case be less than \$10.00. The percentage rate of gross operating revenue to be paid as herein provided shall be subject to future adjustment by the department, which percentage, not exceeding one-fifth of one per cent, shall be fixed by the department by general order entered at the beginning of any year. In fixing such rate the department shall take into consideration all moneys on hand paid in

Fee.

General order fixing fee.

by such steamboat companies, to the end that the moneys collected hereunder shall be neither more nor less than sufficient to cover the cost of supervising and regulating such steamboat companies. The department shall collect the following filing 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. Fees paid to the department under this section shall be in lieu of fees provided by chapter 107, Laws of 1923. All moneys collected by the department under this section shall be paid into the state treasury monthly and credited to the "public service revolving fund."

Filing fees.

Fees to public service revolving fund.

Passed the Senate March 1, 1927.

Passed the House March 9, 1927.

Approved by the Governor March 19, 1927.

CHAPTER 249.

[S. B. 273.]

STATE REFORMATORY FOR WOMEN.

AN ACT creating a Washington State Reformatory for women, providing for the management thereof, making appropriation for the purchase of a site therefor and the construction and maintenance thereof, repealing Chapter 186 of the Laws of 1919 and declaring an emergency.

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

SECTION 1. There is hereby established a public institution to be known as the Washington state reformatory for women, to be equipped and managed in a manner for the purpose as in this act provided.

State reformatory for women established.

SEC. 2. The government and control of the Washington state reformatory for women, and of

Government vested in director of business control.