

Washington thereafter shall be barred forever from questioning the legal existence and validity of such district by reason of any defect in the organization thereof, and the same shall be deemed duly and regularly organized under the laws of this state.

Limitation
of action.

SEC. 11. If any section or provision of this act shall be adjudged to be invalid, such adjudication shall not affect the validity of the act as a whole or any section, provision or part thereof not adjudged to be invalid.

Partial
invalidity.

SEC. 12. This act is necessary for the promotion of the public welfare, the immediate support of the state government and its existing public institutions and shall take effect immediately.

Effective
immediately.

Passed the House February 27, 1941.

Passed the Senate March 11, 1941.

Approved by the Governor March 25, 1941, with the exception of sections 7 and 9, which are vetoed.

CHAPTER 246.

[H. B. 15.]

APPROPRIATIONS FOR SECONDARY HIGHWAYS.

AN ACT relating to secondary state highways, making appropriations from the motor vehicle fund for location, right of way, improvement, construction, reconstruction, maintenance, special maintenance, emergencies, and all proper highway purposes for secondary highways, amending section 6, chapter 181, Laws of 1939 (section 6600-2b Remington's Revised Statutes), repealing section 21, chapter 181, Laws of 1939, (section 6600-25e Remington's Revised Statutes), and declaring an emergency, and that this act shall take effect April 1, 1941.

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

SECTION 1. That section 6, chapter 181, Laws of 1939 (section 6600-2b Remington's Revised Statutes), be and it is hereby amended to read as follows:

Amend-
ments.

Reappropriation of unexpended funds.

Section 6. The balance remaining in the motor vehicle fund from the net tax amount and not expended or credited in the manner provided by sections 2, 3, 4 and 5 of this act, as amended, and all moneys which have accrued or may accrue to the motor vehicle fund from any source whatsoever, less such sums expended pursuant to proper appropriation for costs of collection and administration of such funds shall be expended by the Department of Highways of the State of Washington pursuant to proper appropriations and re-appropriation thereof for primary state highway, secondary state highway and other proper Department of Highway purposes.

Purpose.

Amount to be expended.

SEC. 2. Of the sums available for primary state highway and secondary state highway purposes in the motor vehicle fund, the Director of Highways shall expend pursuant to appropriation a sum equal to three-fourths of one cent ($\frac{3}{4}$ ths of 1¢) per gallon on all taxable motor vehicle fuel sold, and in carrying out projects hereinafter appropriated for, he shall anticipate the receipt of such sum for the entire biennium in said fund.

Location, etc.

SEC. 3. For location, right of way, engineering, improvement, construction and reconstruction of secondary state highways, including the construction of bridges to form a part thereof, there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1943, the respective amounts hereinafter specified to be expended by the Director of Highways for said purposes in the counties designated: Adams \$114,595; Asotin \$40,800; Benton \$129,160; Chelan \$199,370; Clallam \$136,913; Clark \$145,043; Columbia \$26,798; Cowlitz \$126,141; Douglas \$97,870; Ferry \$55,983; Franklin \$106,504; Garfield \$38,503; Grant \$50,697; Grays Harbor \$113,840; Island \$82,601; Jefferson \$23,615; King \$269,526; Kitsap \$47,029; Kittitas \$56,436; Klickitat \$153,529; Lewis \$179,699; Lincoln \$200,737;

Amounts to be expended.

Amount as to counties.

Mason \$62,707; Okanogan \$96,953; Pacific \$85,784; Pend Oreille \$41,419; Pierce \$139,501; Skagit \$185-757; Skamania \$20,916; Snohomish \$175,381; Spokane \$85,836; Stevens \$121,968; Thurston \$97,061; Wahkiakum \$39,050; Walla Walla \$112,673; Whatcom \$112,363; Whitman \$175,057; Yakima \$184,752.

Amount to be expended.

Amount as to counties.

SEC. 4. In cases where secondary highway projects include more than one county, funds therefor shall be charged to the proper appropriations made in the preceding section in proper proportionate amounts. Should there become available to any county under the appropriations made in the preceding section sums in excess of the needs of the county for the ensuing biennium, such excess may be used by the Director of Highways, if necessary, for proper construction projects on secondary highways in other counties.

Inter-county projects proportioned.

Excess may be used in other counties.

SEC. 5. The Director of Highways is hereby required and directed to expend during the biennium ending March 31, 1943, for the purposes set forth in section 3 of this act and within the counties designated in said section unless transfers are hereby authorized, the sums appropriated to the various counties in said section as follows:

Adams County:

S. S. H. 11-B Washtucna to Dusty.....	\$9,800.00
S. S. H. 11-E Ritzville to Washtucna.....	13,000.00
S. S. H. 11-G Lind to Washtucna.....	71,295.00
Transfer to Spokane County.....	20,500.00

Vetoed.

Total to Adams County.....	\$114,595.00
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Asotin County:

S. S. H. 3-K Garfield County line easterly.....	\$1,200.00
Discretion of Director of Highways in county....	39,600.00

Total to Asotin County.....	\$40,800.00
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Benton County:

S. S. H. 8-E Paterson to Hayden Corner.....	\$44,000.00
S. S. H. 8-E Klickitat County line to Prosser (culverts)	1,000.00
S. S. H. 11-A Yakima County line to Columbia River (culverts)	100.00

	S. S. H. 11-A Cold Creek to Priest Rapids Road..	\$20,000.00
	Paterson to Paterson Ferry.....	6,000.00
	S. S. H. 8-E Paterson to Kennewick.....	33,060.00
	Transfer to Skamania County.....	25,000.00
		<hr/>
	Total to Benton County.....	\$129,160.00
	Chelan County:	
	S. S. H. 10-D Jct. P. S. H. No. 10 to Chelan Station	\$84,000.00
	S. S. H. 15-C Winton Jct. northerly.....	115,370.00
		<hr/>
	Total to Chelan County.....	\$199,370.00
	Clallam County:	
	S. S. H. 9-A Joyce to Twin.....	\$16,700.00
	S. S. H. 9-A Deep Creek to West Joe Creek....	83,500.00
	S. S. H. 9-A Clallam Bay Jct. to Sappho.....	10,000.00
	S. S. H. 9-G (new highways) Jct. No. 9 Fair-	
	holm along North shore Lake	
	Crescent	26,713.00
		<hr/>
	Total to Clallam County.....	\$136,913.00
	Clark County:	
	S. S. H. 1-U Brush Prairie to Battleground....	\$46,000.00
	S. S. H. 1-S Yale Bridge south at Lewis River	
	(Grading)	18,000.00
	S. S. H. Yale Bridge south of Lewis River	
	(oil surfacing)	17,500.00
	Crawford overhead	24,000.00
	Battleground to Dollars Corner....	39,543.00
		<hr/>
	Total to Clark County.....	\$145,043.00
	Columbia County:	
	S. S. H. 3-L Jct. P. S. H. No. 3 to Garfield Co. line	\$600.00
	S. S. H. 3-L Tucannon River Bridge.....	13,500.00
	S. S. H. 3-L Tucannon River Canyon (turnouts)	5,000.00
	Discretion of Director of Highways in county....	7,698.00
		<hr/>
	Total to Columbia County.....	\$26,798.00
	Cowlitz County:	
	S. S. H. 1-R Milepost 15 to Milepost 33.....	\$34,000.00
	S. S. H. 1-S Ariel Dam to Yale Jct.....	11,000.00
	S. S. H. 1-S Yale Bridge south.....	18,000.00
	S. S. H. 1-S Crawford overcrossing and ap-	
	proaches	20,000.00
	S. S. H. 1-Q Jct. 1-R to Salmon Creek.....	33,141.00
	Transfer to Wahkiakum County...	10,000.00
		<hr/>
	Total to Cowlitz County.....	\$126,141.00

Vetoed.

Douglas County:	
S. S. H. 10-B Wallace Canyon to Leahy (balance to be transferred if available)	\$97,870.00
Total to Douglas County.....	\$97,870.00
Ferry County:	
S. S. H. 4-A Curlew to Danville.....	\$55,983.00
Total to Ferry County.....	\$55,983.00
Franklin County:	
S. S. H. 11-A Columbia River to Connell.....	\$1,300.00
S. S. H. 11-A Mesa Road to Connell.....	2,500.00
S. S. H. 11-B Jct. P. S. H. No. 11 to Adams County line	500.00
S. S. H. 11-B Kahlotus Lake vicinity.....	12,500.00
S. S. H. 11-B Palouse Orchards bridge.....	30,000.00
Discretion of Director of Highways in county....	41,704.00
Transfer to Skamania County.....	18,000.00
Total to Franklin County.....	\$106,504.00
Garfield County:	
S. S. H. 3-K Pomeroy to Asotin County line....	\$500.00
S. S. H. 3-K Pomeroy to Mt. Misery Road Jct...	13,500.00
S. S. H. 3-L Columbia County line to Jct. P. S. H. No. 3	200.00
Central Ferry to Pomeroy.....	24,303.00
Total to Garfield County.....	\$38,503.00
Grant County:	
S. S. H. 4-C (new road) Coulee Dam to vicinity Hesseltine	\$135,000.00
(Transfer from Kittitas County	\$23,826)
Total to Grant County.....	\$135,000.00
Grays Harbor County:	
S. S. H. 9-C Pacific Beach east.....	\$60,100.00
S. S. H. 9-D Kamilche cutoff	6,455.00
S. S. H. 13-A Aberdeen south	79,050.00
S. S. H. 13-A Markham to Ocosta flats.....	3,600.00
Total to Grays Harbor County..	\$149,195.00
Island County:	
To join with Snohomish County in establishing a new portion of the secondary state highway system as a part of S. S. H. 1-E known as Camano Island playground Highway	\$82,601.00
Total to Island County.....	\$82,601.00

Vetoed.

	Jefferson County:	
	S. S.H. 9-E Eagle to Port Ludlow.....	\$14,100.00
	Discretion of Director of Highways in county....	9,515.00
		<hr/>
	Total to Jefferson County.....	\$23,615.00
	King County:	
	S. S. H. 2-A Bellevue to Kennydale.....	\$221,670.00
	S. S. H. 1-V Lakala to Woodmont.....	35,000.00
	S. S. H. 1-J Construction of approximately 3200' of Marine View Drive north of Seattle	5,000.00
	S. S. H. 1-A Woodenville vicinity	} 7,856.00
	S. S. H. 2-B Lake Forest Park vicinity	
	S. S. H. 5-D Kit's Corner to Pierce County line	
	S. S. H. 5-M Duwamish River to Foster	
		<hr/>
	Total to King County.....	\$269,526.00
	Kitsap County:	
	S. S. H. 21-B Bremerton to Keyport.....	\$10,500.00
	S. S. H. 21-C (new road) Jct. P. S. H. No. 21 at Chico Hoods Canal near Sea- beck	23,529.00
Vetoed.	S. S. H. 21-A from Ferry landing at White Point to Ferry landing at Winslow..	13,000.00
		<hr/>
	Total to Kitsap County.....	\$47,029.00
	Kittitas County:	
	S. S. H. 2-E Ronald to Cle Elum.....	\$200.00
	S. S. H. 2-E Ronald vicinity.....	1,000.00
	S. S. H. 3-M Jct. P. S. H. No. 3 to Ellensburg...	9,300.00
	S. S. H. 7-B Ellensburg to P. S. H. No. 3.....	2,100.00
	Transfer to Grant County.....	23,836.00
	Survey from Ellensburg on P. S. H. No. 3, westerly to Jct. with P. S. H. No. 5 vicinity of Cliff- dell	20,000.00
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	Total to Kittitas County.....	\$56,436.00
	Klickitat County:	
	S. S. H. 8-D White Salmon north.....	\$3,000.00
	S. S. H. 8-D Husum vicinity.....	10,000.00
	S. S. H. 8-D Trout Lake south (P. R. A.).....	10,000.00
	S. S. H. 8-E Rock Creek vicinity.....	10,500.00
	S. S. H. 8-E Alderdale west.....	33,500.00
	S. S. H. 8-F Lyle-Klickitat-Goldendale	29,445.00
	Transfer to Skamania County.....	57,084.00
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	Total to Klickitat County.....	\$153,529.00

Lewis County:

S. S. H. 1-N Galvin to Bunkercreek Road.....	\$10,500.00
S. S. H. 1-P Toledo West.....	5,500.00
S. S. H. 1-P Toledo to Lacamas Creek.....	6,500.00
S. S. H. 1-Q Jct. S. S. H. 1-R to Salmon Creek (Cowlitz Co.)	20,000.00
S. S. H. 1-Q Toledo to Cedar Creek.....	9,500.00
S. S. H. 5-K Onalaska to Bear Canyon.....	45,000.00
S. S. H. 5-K Tilton Riv. Br. & Approaches..... Tenino to Bucoda to Centralia (if established)	48,000.00 10,000.00
Survey from Pe Ell to Grays River.	3,699.00
S. S. H. 12-E Winlock to Napavine-Napavine to Claquato	11,000.00
Total to Lewis County.....	\$179,699.00

Lincoln County:

S. S. H. 11-C Sprague south (Whitman).....	\$39,000.00
S. S. H. 2-G Reardon to Edwall.....	7,400.00
S. S. H. 4-B Odessa north.....	5,900.00
S. S. H. 11-C Sprague to Lamont.....	1,600.00
S. S. H. 4-B Odessa to Wilbur.....	90,000.00
S. S. H. 2-G Sprague to Edwall.....	56,837.00
Total to Lincoln County.....	\$200,737.00

Vetoed.

Mason County:

S. S. H. 14-A Grapeview Road to P. S. H. No. 14..	\$15,000.00
S. S. H. 14-B Jct. S. S. H. 14-A to P. S. H. No. 14	4,500.00
S. S. H. 14-B Allyn to Vaughn.....	13,000.00
S. S. H. 9-D Kamilche Cutoff.....	8,555.00
Discretion of Director of Highways in county....	21,652.00
Total to Mason County.....	\$62,707.00

Okanogan County:

S. S. H. 10-A Disautel east and west.....	\$96,953.00
(Or so much as may be available balance of \$105,860 by transfer if possible)	
Total to Okanogan County.....	\$96,953.00

Pacific County:

S. S. H. 13-A Raymond west.....	\$85,784.00
Total to Pacific County.....	\$85,784.00

Pend Oreille County:

S. S. H. 6-B Usk to Diamond Lake (Sacheen cutoff)	\$41,419.00
Total to Pend Oreille County...	\$41,419.00

Pierce County:

S. S. H. 5-E	Electron to Elkhorn.....	\$20,000.00
S. S. H. 1-Y	Via 84th St. from Stellacoom to Fruitland Avenue in vicinity of Puyallup, Via 84th St.....	5,000.00
S. S. H. 12	72nd St. from State Road No. 1 to State Road No. 5 in Puyallup..	40,451.00
	Orting to Electron, oiling.....	7,250.00
	Roy Junction to McKenna.....	10,800.00
S. S. H. 5-G	3,000.00
	Purdy to Mason County line, relo- cation and improvement.....	15,000.00
	5-G P. S. H. No. 1 to Jct. P. S. H. No. 5.	3,000.00
S. S. H. 1-AA	McChord Field to Narrows Bridge	25,000.00
S. S. H. 1-V	Hylebos Waterway West to Tacoma	10,000.00
	Total to Pierce County.....	\$139,501.00

Skagit County:

S. S. H. 17-A	Rockport west.....	\$165,297.00
S. S. H. 1-H	Conway to McMurray.....	7,460.00
S. S. H. 1-A	Big Rock south.....	3,000.00
S. S. H. 1-C	Burlington to Sedro Wooley.....	10,000.00
	Total to Skagit County.....	\$185,757.00

Vetoed.

Skamania County:

S. S. H. 8-C	Wind River bridge.....	\$100,000.00
S. S. H. 8-C	Wind River road south of bridge...	12,416.00
S. S. H. 8-B	Clark County line to Jct. P. S. H. No. 8.....	8,500.00
	(\$100,000 transferred from Frank- lin, Benton & Klickitat Coun- ties)	
	Total to Skamania County.....	\$120,916.00

Snohomish County:

S. S. H. 1-A	New road between Arlington, Get- chell and Snohomish, construc- tion to start from Arlington south	\$78,991.00
S. S. H. 1-I	From new approach at ferry land- ing in Mukilteo north to Ever- ett. Construction of new sec- ondary highway.....	78,991.00
S. S. H. 1-E	New construction Federal aid to be secured if possible.....	100,000.00
	(Transferred from Island County \$82,601)	
	Total used by Snohomish County	\$257,982.00

Spokane County:

S. S. H. 3-1 Spokane to Jct. P. S. H. No. 3.....	\$1,800.00
S. S. H. 3-H Fairfield south 2nd section.....	88,000.00
Discretion of Director of Highways in county....	16,536.00
(Transfer from Adams County \$20,500)	
Total to Spokane County.....	\$106,336.00

Stevens County:

S. S. H. 3-J Ford to Long Lake.....	\$60,000.00
S. S. H. 6-A Colville east (Colville-Tiger).....	46,968.00
Jct. to Northwest Magnesite quarry	15,000.00
(to be matched by an equal or greater amount by Stevens County)	
Total to Stevens County.....	\$121,968.00

Thurston County:

S. S. H. 5-H Rainier to Tenino.....	\$72,000.00
S. S. H. 5-H Yelm to Tenino.....	14,061.00
Tenino, Bucoda, Centralia (if estab- lished)	11,000.00
(Any unexpended balances to be used Tenino to Centralia)	
S. S. H. 5-H Roy Junction to Tenino.....	10,800.00
Total to Thurston County.....	\$97,061.00

Vetoed.

Wahkiakum County:

Transferred from Cowlitz for mtnce and spec. mtnce—Puget Island Bridge	\$10,000.00
S. S. H. 12-C Rosburg Bridge and approaches...	18,550.00
S. S. H. 12-D Jct. P. S. H. No. 12 to Crown Wil- lamette Camp No. 2.....	20,500.00
Total to Wahkiakum County...	\$49,050.00

Walla Walla County:

S. S. H. 3-E Berryman to Waitsburg.....	\$112,673.00
(Balance of amount necessary to complete project to be obtained by transfers if possible)	
Total to Walla Walla County....	\$112,673.00

Whatcom County:

S. S. H. 1-A Re-location and construction of bridge over Nooksack River with approaches. Federal aid to be obtained if possible so	
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that the highest type of modern bridge to replace be con- structed	\$112,363.00
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Total to Whatcom County.....	<u>\$112,363.00</u>
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Whitman County:

S. S. H. 11-C Lamont to St. John.....	\$100,000.00
Jct. P. S. H. No. 3 vicinity north Pullman easterly.....	50,000.00
Discretion of Director of Highways in county.....	25,057.00

Total to Whitman County.....	<u>\$175,057.00</u>
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Yakima County:

S. S. H. 5-N Bridge over Yakima River with approaches	\$140,000.00
S. S. H. 11-A Jct. P. S. H. No. 3 to Benton County line	1,300.00
Discretion of Director of Highways in county...	43,452.00

Total to Yakima County.....	<u>\$184,752.00</u>
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Vetoed.

SEC. 6. The Director of Highways is hereby re-
quired to prepare and submit to the Legislature at its
convening in regular biennial session in 1943, a sepa-
rate secondary highway report and budget setting
forth the following: The total receipts in the motor
vehicle fund from the sale of taxable motor vehicle
fuel at the rate of three-fourths of one cent ($\frac{3}{4}$ ths of
1c) per gallon for the last twenty-four (24) months
immediately preceding the preparation of said re-
port, and the amount to which each county of the
state would be entitled of this sum on the basis of
the proportionate appropriations contained in sec-
tion 3 of this act; the amount of money spent on sec-
ondary highways in each county of the state under
the appropriations contained in this act itemized as
to (1) location, engineering, right of way and/or con-
struction; (2) maintenance; (3) special maintenance;
and (4) emergencies; the unexpended balance of any
appropriation to any county contained in section 3
of this act; and a statement of any sums which may
have been transferred under the authority of section
4 of this act, giving the amount thereof, the county

from which taken and the county or counties in which the same were expended. The Director of Highways shall also with this report submit a proposed budget for the maintenance, improvement and construction of the secondary state highway system for the ensuing biennium itemized as to each county, and setting forth in the budget for each county a separate itemization of the amounts budgeted for (1) location, right of way, engineering, improvement and/or construction; (2) maintenance; (3) special maintenance; and (4) emergencies. The Director of Highways shall, in preparing this budget, allocate among the several counties of the state a sum equal to three-fourths of one cent ($\frac{3}{4}$ ths of 1c) per gallon on all taxable motor vehicle fuel sold over a twenty-four (24) month period in the proportions set forth in section 3 of this act. He may also submit for consideration a budget allocating said funds on a different basis if, in his opinion, the necessities of the secondary highway system so require.

Vetoed.

SEC. 7. For the maintenance of secondary state highways, including road signs, operation of bridges and ferries and similar purposes on secondary state highways, there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1943, the sum of one million, three hundred eighty thousand, seven hundred thirty-two dollars (\$1,380,732), or so much thereof as shall be necessary.

Amount of appropriation for secondary highways.

SEC. 8. For the special maintenance of secondary state highways, including extraordinary repairs and contingencies, there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1943, the sum of four hundred ninety-nine thousand, two hundred forty-seven dollars (\$499,247), or so much thereof as shall be necessary.

Special maintenance appropriation.

SEC. 9. For emergencies, hereby defined to be damages to secondary state highways and/or structures, which could not with the exercise of reason-

Emergencies.

able judgment have been foreseen and damage due to acts of God, there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1943, the sum of one hundred thousand dollars (\$100,000), or so much thereof as shall be necessary.

Amount.

Statute repealed.

SEC. 10. That section 21, chapter 181, Laws of 1939 (section 6600-25e Remington's Revised Statutes), and all acts and parts of acts in conflict with this act, or any part thereof, be and the same are hereby repealed.

Effective date.

SEC. 11. This act is necessary for the immediate preservation of the public peace, health and safety, for the support of the state government and its existing institutions and shall take effect on the first day of April, 1941.

Passed the House March 13, 1941.

Passed the Senate March 12, 1941.

Approved by the Governor March 25, 1941 with the exception of sections 5 and 6, which are vetoed.

CHAPTER 247.

[H. B. 180.]

COUNTY ROADS IN SPOKANE COUNTY.

AN ACT relating to county roads in Spokane County and appropriating money therefor from the motor vehicle fund and declaring an emergency.

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

Appropriation for Spokane county.

SECTION 1. There is hereby appropriated from the net tax amount in the motor vehicle fund for the biennium ending March 31, 1943, to Spokane County the sum of two hundred thousand dollars (\$200,000); said appropriation is to be made from the net tax amount in the motor vehicle fund available for allocation to counties prior to computation

Amount.