

close of the current fiscal year and from and after the close of such current fiscal year all schools in such county shall be conducted by such county school district and not otherwise.

Powers of district.

SEC. 8. Immediately upon the completion of the organization of the county school district, such district may proceed to acquire property and equipment necessary for the conduct of schools in such county, from and after the beginning of the next fiscal year. All laws relating to consolidated school districts shall apply to such county school districts except where inconsistent with the other provisions of this act.

Laws relating to consolidated districts to govern.

County superintendent.

SEC. 9. The board of directors of such county school district shall appoint a superintendent at such salary as they may fix and the elective county superintendent shall be eligible to such appointment.

Columbia River district.

SEC. 10. This act shall not apply to any county bordering on the Columbia River.

Passed the House March 13, 1929.

Passed the Senate March 12, 1929.

Approved by the Governor March 21, 1929.

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## CHAPTER 188.

[H. B. 373.]

### PERMANENT HIGHWAYS.

AN ACT relating to public highways, and amending Section 6781 of Remington's Compiled Statutes, and declaring that this act shall take effect immediately.

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

Amends.  
§ 6781, Rem.  
Comp. Stat.

SECTION 1. That section 6781 of Remington's Compiled Statutes, as amended by section 2 of chapter 217 of the Laws of 1927, be amended to read as follows:

Section 6781. When the board of county commissioners shall have finally adopted the profiles, maps, plans and specifications for the improvement of any permanent highway under the provisions of this act, said board shall advertise for bids for three successive weeks in a newspaper published at the county seat of such county, and if it deem advisable, in such other newspaper as it shall determine, for the construction and improvement of such permanent highway, or section thereof, according to such profiles, maps, plans and specifications, and shall award the contract to the lowest responsible bidder, save that the board shall have the right to reject any and all bids. All contracts shall be on a form to be approved by the state highway engineer and shall be let on the lump sum, or unit price basis. Before entering into any contract for such construction or improvement, it shall require a corporate surety bond in the full amount of the contracts, or, if the contract is to be awarded upon a unit price basis, in the full amount of the total cost of said work, as determined by unit prices bid and the estimated quantities, conditioned that the party thereto will perform the work upon the terms, within the time, and in accordance with the contract, profiles, maps, plans and specifications, and that such party will indemnify the county against any direct or indirect damages that shall be suffered or claimed for injuries to persons or property during the construction and improvement of such highway and until the same is accepted. Each bid shall be accompanied by a certified check in a sum equal to five per cent of the amount of such bid if upon a lump sum basis, and if upon the unit price basis, five per cent of the total cost as determined by the unit prices and the estimated quantities, payable to the county, which shall be forfeited to the county upon the failure of the party, for a period of twenty days after any con-

Advertising  
for bids.

Lowest  
bidder.

Contracts,  
lump sum,  
unit price.

Surety bond.

Certified  
check with  
bid.

tract is awarded to any such party, to enter into a proper contract and furnish satisfactory bonds as required by this act. The contract shall provide for payment and reserve from moneys earned in accordance with the provisions of chapter 166, Laws of 1921. No final payment shall be made until the state highway engineer shall have examined the work or caused the same to be examined and certify to the state auditor that such work has been fully completed in accordance with the contract and the profiles, maps, plans and specifications governing such work. All payments to be made by the state upon contracts, entered into in accordance with the provisions of this act shall be made by the state treasurer from the permanent highway fund hereinafter created, upon the warrant of the state auditor issued upon the presentation of proper vouchers by the person entitled thereto, said vouchers to be approved by the board of county commissioners, and the state highway engineer, and, in case of final payment, to be accompanied by the certificate of the state highway engineer as aforesaid.

Payments on such contracts may be made from the permanent highway fund in conjunction with money from the county road and bridge fund, or from the road district fund of any road district in which the improvement or any part thereof is located, or any fund created by donation and placed in possession of the county treasurer as a trust fund, for the expenditure in connection with such improvement. Whenever any such funds are to be used in conjunction with the permanent highway fund in paying for such improvement, the county commissioners shall adopt a resolution to that effect, and shall set aside in such funds the amount to be expended from said funds on such contract, and such funds so set aside shall be held and expended for that purpose and shall not be otherwise expended

Payment  
and reserve.

Final  
payment.

State pay-  
ments made  
by state  
treasurer.

Funds for  
payment.

Funds set  
aside.

or used until the completion of the work and final payment on such contract. All payments from county funds, or from funds donated and placed in the possession of the county treasurer shall be by the county treasurer upon warrants drawn by the county auditor, upon presentation of proper vouchers, approved by the board of county commissioners, and the state highway engineer.

County payments made by county treasurer.

The state auditor shall issue no warrant for any purpose against the permanent highway fund hereinafter provided for unless there be sufficient money to pay such warrant in such fund to the credit of the county affected. No changes or additions, or payments therefor, shall be made during the progress of the work, unless the same shall have been approved by the board of county commissioners by resolution, and a copy of said resolution shall have been transmitted to and approved by the state highway engineer. The board of county commissioners shall let no contract for the improvement of any permanent highway or section thereof less than one mile in length: *Provided*, That any highway, or any portion thereof, of less than one mile in length may be constructed under the provisions of this act whenever said highway, or portion thereof, will connect two highways, or portions thereof, previously constructed under the provisions of this act, or highways, or portions thereof, of the same type and standard of construction as highways constructed under this act. Whenever any permanent highway shall be improved or constructed pursuant to a petition as provided for in section 6774, the proportion of the cost of such improvement chargeable to the property within the improvement district shall be paid out of the general road and bridge fund of the county, and all taxes assessed against abutting property under the provisions of the following section, and all moneys payable by any township, shall,

No warrant unless funds.

No contract for less than one mile.

Payments from general road and bridge fund.

Payment by treasurer on warrants of auditor.

Unit price basis, 10% additional set aside.

Extras and overruns.

Effective immediately.

when collected, be paid into said general road and bridge fund. All payments made from the general road and bridge fund upon contracts entered into in accordance with the provisions of this act, shall be made by the county treasurer upon warrants of the county auditor, issued upon the presentation of proper vouchers, approved by the board of county commissioners and the state highway engineer. Whenever any contract is awarded upon the unit price basis, an additional sum equal to ten per cent of the amount of the contract as determined by the unit prices bid and estimated quantities shall be set aside in the permanent highway fund to the credit of the county or may be obligated by the county from the county general road and bridge fund and/or road district fund available for such purpose, and shall not be available for use of such county except for the payment of extras and overruns on such contract, until after the completion of the work and final payment on such contract. All extras and overruns in excess of such percentage shall be approved by the board of county commissioners before the performance of such excess work. If the amount of such excess exceeds the moneys available in the permanent highway fund to the credit of the county, such excess shall be paid from county funds as herein provided.

SEC. 2. This act is necessary for the support of the state government and shall take effect immediately.

Passed the House March 14, 1929.

Passed the Senate March 11, 1929.

Approved by the Governor March 21, 1929.