

CHAPTER 55.

[H. B. 292.]

CONSTRUCTION OF ARMORIES FOR THE NATIONAL GUARD
OF WASHINGTON.

AN ACT relating to the construction of armories for the use of the National Guard of Washington, appropriating money from the military fund therefor, creating a board to superintend the construction thereof, and declaring an emergency.

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

SECTION 1. That for the purpose of constructing an armory for the use of such organization or organizations of the National Guard of Washington as may be stationed there, the sum of \$130,000 is hereby appropriated from the military fund for the construction of an armory in the city of Seattle, on a site heretofore purchased by King county and deeded to the State of Washington.

Appropriation for Seattle armory \$130,000.

SEC. 2. That for the purpose of constructing an armory for the use of such organization or organizations of the National Guard of Washington as may be stationed there, the sum of \$95,000 is hereby appropriated from the military fund for the construction of an armory in the city of Tacoma: *Provided*, That a suitable site for such armory be furnished without cost to the State of Washington therefor, and that the title to such site shall be deeded to the State of Washington.

Appropriation for Tacoma armory \$95,000.

SEC. 3. That for the purpose of completing an armory for the use of such organization or organizations of the National Guard of Washington as may be stationed there, the sum of \$58,363.06 is hereby appropriated from the military fund for the completion of an armory in the city of Spokane, on a site heretofore purchased and deeded to the State of Washington: *Provided*, That Spokane county, or the city of Spokane, first turns over to the State Treasurer, to be placed in the permanent school fund, the sum of \$9,750.00; upon which sum being furnished, the State Treasurer is hereby authorized and directed to return also to the permanent school fund \$20,250.00 from the Spokane armory fund, and then to surrender to Spokane county bonds in the sum of \$30,000.00

Appropriation for Spokane armory \$58,363.06.

issued by Spokane county and purchased by the permanent school fund under date of September 15, 1905.

Purchase
of site.

SEC. 31½. Any county of the State of Washington is hereby authorized and empowered to appropriate money for the purchase of an armory site whenever the Legislature of this state shall appropriate money for or authorize the construction of an armory therein.

Personnel
of armory
commissions.

SEC. 4. That for the purpose of erecting and completing the armories provided for by this act, the Governor shall appoint boards or commissions to be known as (insert name of city) Armory Commission. Each of these boards shall consist of six members comprised as follows: The Adjutant General of the National Guard of Washington, the ranking officer of the active list of the National Guard of Washington, stationed at the city or town wherein said armory is to be located, the State Board of Control and the chairman of the board of county commissioners of the county in which said armory is to be located, all of whom shall be ex-officio members of the Board. The Adjutant General shall be chairman of each of said boards, and each board shall elect a secretary from among its members. The members of these boards shall act as such until the completion of the armory in their charge and the acceptance thereof by the state, and shall give bond with at least two sureties, to the State of Washington in the sum of five thousand dollars, conditioned for the faithful performance of the duties imposed by this act, to be approved by the Governor and filed with the Secretary of State, said sureties qualifying in double the penal obligation of said bond. In each case, a majority of the board shall constitute a quorum: *Provided, however,* That no member of any of said boards shall be allowed or shall receive any compensation for his services as a member of such board.

Bond.

Members
not to be
interested in
work.

SEC. 5. It shall be unlawful for any of the members of the said boards to be connected, either directly or indirectly, in any manner whatsoever, with any contract or part thereof for the erection of said armories, or for any work connected therewith, or for the furnishing of any supplies or material therefor, or to receive any benefit there-

from, either by way of commission, rebate, bonus, division of profits or otherwise, and any one of said members who shall violate any of the provisions of this act shall be guilty of a felony, and upon conviction thereof shall be subject to a fine not to exceed \$1,000 and imprisonment in the penitentiary not to exceed five years and shall forfeit his right to and be removed from his place on the board by the court in which he shall have been convicted. It shall be unlawful for any of said boards to employ any person in the supervision or superintendence of the building of said armories, or in any work connected therewith, who may or shall become in any manner connected, directly or indirectly with any contract for the erection of said armories, or for the furnishing of any supplies or material therefor; and the said boards are hereby charged with the rigid enforcement of this provision of this act. Penalty.

SEC. 6. It shall be the duty of each of said boards to locate its armory upon the most sightly and suitable site which shall become available therefor within its respective city; to secure the submission of plans and designs appropriate to an armory to cost not more than the amount specified in this act, and such additional sum, if any, as may be donated for the purposes of this act; to select the most desirable site, plan and design, and to obtain proper architectural designs, plans and specifications and details, in conformity with such plan and design; to secure the erection and completion of such armory building, conforming faithfully to such plan and design. Sites and plans.

SEC. 7. No construction or material exceeding \$500 in amount shall be furnished except pursuant to bids advertised for in one daily newspaper for a period of ten days in each of the cities in which these armories are to be built. The bid of the lowest and best responsible bidder shall be accepted, saving that the boards shall have the right to reject any and all bids. The performance of every contract shall be secured by a surety company bond to the State of Washington, in a sum not less than one quarter of the contract price, said bond to be conditioned for the faithful performance of said contract and to be approved by the respective commissions. Each bid shall be accom- Contracts.

panied by a certified check in the sum of \$1,000, payable to the chairman of the respective commissions, which shall be forfeited to the state for the use of the military fund upon failure of the party, for a period of ten days after any contract is awarded, to enter into a proper contract and furnish satisfactory bonds as required by law. All contracts shall reserve the right of the board for good cause shown to annul the contract, without allowance for damages, and allowing only expenses incurred and labor performed, not exceeding the contract price of the proportion that the work done or material furnished thereunder bears to the total amount contracted for. Such a per centum, not less than twenty per centum, as the board shall deem proper, shall be reserved from payment on monthly estimates of work done, until such work shall have been completed, inspected and accepted. All material contracted for shall be of the best quality and to the satisfaction of the board, and the directions, plans and specifications of the work executed and carried out by skilled and reputable architects, artists, mechanics and laborers, likewise to the satisfaction of the board.

Architects.

SEC. 8. The architect chosen by each of these boards shall receive such compensation for his plan and design as the board shall deem reasonable. He shall be supervising architect of said building, and for all contracts for construction or material therefor. He shall see that all material furnished and work done shall be of the best quality, and all contracts with said board are faithfully performed by the parties so contracting with said board. He shall perform all other duties devolving upon him as such architect, and the supervising architect of said building, and may be removed at the pleasure of said board. Neither said architect nor any of his subordinates or assistants shall be in any way connected with any work done or material furnished for said building, or any contract therefor, or shall have any interest therein, directly or indirectly. He shall furnish a surety company bond to the State of Washington in the sum of \$10,000, conditioned for the faithful performance by said architect, his assistants and subordinates, of his or their duties as herein prescribed.

SEC. 9. All disbursements on account of the construction of any of the armories provided for in this act shall be made pursuant to certificates issued by the board having charge. All claims, bills and demands for labor performed, work done or material furnished shall be presented to the board in duplicate, and shall be passed upon by said board after a careful examination of every item named. If found correct, they shall audit the same, preserving one duplicate and transmitting the other as audited and allowed to the State Auditor, and shall issue a certificate to the effect that the services have been rendered or material furnished, and the person therein named is entitled to a warrant on the treasury for the amount therein named. Upon a presentation of said certificate and a duplicate of the vouchers therefor as audited and approved by the board herein provided, to the State Auditor, he shall draw his warrant on the state treasury upon the military fund, and the State Treasurer is hereby authorized to pay said warrant for the amount stated, and to the order of the person named in said certificate: *Provided*, That no certificate shall be issued in excess of the amount appropriated for each armory. All certificates issued shall be recorded in a book for that purpose.

Audit of bills.

SEC. 10. The Attorney General shall be the legal adviser of the boards herein constituted.

Attorney General legal adviser.

SEC. 11. The commander-in-chief is hereby authorized to make such rules and regulations as he may deem expedient to govern these armories, but such rules and regulations shall conform to this act. When promulgated, they shall have the same force and effect as this act.

Rules for use of armories.

SEC. 12. An emergency exists and this act shall take effect immediately.

Emergency.

Passed the House February 14th, 1907.

Passed the Senate February 26th, 1907.

Approved by the Governor March 1st, 1907.