

CHAPTER 59.

[H. B. 373.]

PROVIDING FOR THE CONSTRUCTION OF CAPITOL BUILDINGS.

AN ACT relating to the powers of the state capitol commission, providing for the refunding, paying off and canceling existing claims against the capitol building fund, and for the erection and completion of a capitol building or buildings, authorizing said commission to contract obligations and incur indebtedness therefor and to issue bonds or warrants, or to re-issue or re-fund the same, making appropriations and amending sections 3, 5, 6, and 7 of chapter 69, Laws of 1909, regular session, entitled "An act relating to the sale of lands granted for public buildings at the state capitol, providing for the payment of all the claims against the capitol building fund and for the erection and completion of a capitol building, and making an appropriation for the carrying out of the provisions of this act and declaring an emergency." Approved March 8, 1909, and declaring an emergency.

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

SECTION 1. It is hereby declared to be the purpose and intention of this act:

(A) To provide for the paying off, canceling or refunding, by the issue of bonds therefor, the present outstanding warrant indebtedness against the capitol building fund and the interest due and unpaid thereon at the time of the payment, cancellation or refundment thereof;

Canceling
indebtedness.

(B) To acquire and in the manner authorized, the property described in section one of chapter 20, Laws 1909, special session, approved August 23, 1909, and to use such lands in conjunction with the lands belonging to the state and known as the "Sylvester Site" or "Old Capitol Site" for the erection and building thereon of a group or system of buildings for capitol purposes, and for beautifying, parking and laying out grounds about such capitol buildings, all of which grounds or land shall hereafter be known as "Capitol Place";

Location.

(C) To build on such "Capitol Place" a series or group of buildings for state official purposes. The main or principal building to be built on the foundation

heretofore erected as the foundation for a capitol building, and such main building, when built, to contain the principal executive offices of the state and the rooms and halls for the use of the legislature, which building shall be known, when completed, as the "Capitol," the other buildings to be grouped around and adjacent to said "Capitol" and to be built from time to time as needed;

Buildings
to be
grouped.

(D) For the purpose of providing adequate quarters for the supreme court and its officers, and offices for the attorney-general, and the state law library, thereby relieving the present congested condition of office quarters in the present building now used for capitol purposes, as soon as plans can be provided therefor there shall be erected as one of the capitol buildings on said "Capitol Place" a building to be known as the "Temple of Justice," for the purpose of housing the departments aforesaid, the approximate cost of said building to be \$300,000;

Temple of
Justice.

(E) That the capitol commission shall without delay cause complete topographic and profile maps to be made of the lands composing "Capitol Place," and shall furnish the same at a price to be fixed by the commission to architects seeking to offer plans for "Capitol Place," and said commission shall fix a time not later than the first day of August, 1911, for receiving ground plans for a series or group of buildings on said "Capitol Place," showing the main building or "Capitol," a court building or "Temple of Justice" and at least two other buildings for general offices, and accompanying said plans shall be submitted complete plans and specifications for the construction of said "Temple of Justice" building, and with such further details as to the grounds or buildings, or both, as the capitol commission may call for. The commission may reject any and all plans and may call for new plans from time to time, or may select or adopt all or part of any plan or plans submitted and may enter into the usual contract or agreement with any architect or architects for compensation for plans adopted, or may enter into any contract or agreement for recommendation to the legislature for compensation for any plan or plans adopted in whole or in

Date for
receiving
plans.

May reject
plans.

part, and do any and all things whatsoever to carry out the provisions, purposes, and intent of this act to the end that, as speedily as consistent with economy, suitable, adequate, and commodious buildings and grounds may be provided for official purposes, and that to this purpose, from time to time, new buildings, or additions to buildings theretofore constructed, except additions to the main building, may be constructed, all in accordance with a general plan, and so as not to interfere with the symmetry, grandeur, or architectural beauty of the whole system or group;

May make contract.

(F) That all buildings to be built as herein provided shall be of absolute fire proof construction;

Fire-proof.

(G) That the appropriation or appropriations hereinafter made, or provided for in any subsequent legislation, shall not prohibit the capitol commission from proceeding, should sufficient funds be received from the sales of capitol building lands or materials thereon (but shall be deemed an authorization), to construct the other buildings or to acquire or improve the grounds used for capitol purposes as herein provided, or to further carry out the purposes of this act.

SEC. 2. As defined to be the purpose in section one of this act the said capitol commission shall proceed at once to issue negotiable annual interest bearing bonds against the capitol building fund and to sell the same or to exchange the same for the paying off, refunding and canceling of the present outstanding warrants against the said capitol building fund, including the interest due and unpaid thereon at the time of such payment, cancellation or refunding thereof. Such bonds shall not be sold or exchanged at less than the face value thereof and shall be issued in accordance with the provisions hereinafter defined.

Negotiate bonds.

SEC. 3. The state capitol commission, as soon as it shall have adopted general plans for the construction of buildings on said "Capitol Place" and shall have adopted plans and specifications for the said "Temple of Justice," shall proceed under such terms and conditions as the commission

Call for bids.

may provide, to call for bids and make contracts for the construction and completion of said "Temple of Justice." For the purpose of the construction of said "Temple of Justice" and for acquiring the lands authorized to be acquired by chapter 20, Laws 1909, special session, or so much of said lands as the commission may deem expedient at the time to so acquire, the commission is hereby authorized to issue bonds as in this act provided to the extent of three hundred and fifty thousand dollars (\$350,000), and until such time as said bonds are issued and sold, and for the purpose of providing, without delay, available funds to construct such building and acquire such lands there is hereby appropriated out of the general fund of the state the said sum of three hundred and fifty thousand dollars which amount so appropriated from the general fund shall be deemed a temporary loan only from said general fund and to the amount only as may be needed for the purposes named and until repaid to the general fund from the proceeds of the sale of the bonds as herein authorized: *Provided*, The commission may sell all or part of said bonds at any one time or may exchange any of said bonds in payment in all or in part for the building of said "Temple of Justice," as may be provided in the contract for the construction thereof or by any subsequent agreement.

\$350,000.00
bonds.

Interest-
bearing
coupons.

SEC. 4. Whenever the commission shall have been authorized to do so, as in this act or any further act, to issue bonds it shall issue negotiable annual interest bearing coupon bonds, in denominations of one thousand dollars, payable in five years, or any multiple of five years up to twenty years, but if issued for a longer period than five years, the state to have the right, through the capitol commission, or its successor or successors in such functions, to pay or refund the same at any five-year period during the life of such bonds. Bonds authorized under this act shall bear interest not to exceed four per centum per annum, such bonds and all interest coupons thereof payable at the office of the state treasurer, and no coupon shall draw interest after the date named in such coupon unless there be

Interest four
per cent.

no money in the treasury to pay the same and the treasurer shall stamp thereon "Not paid for want of funds," giving the date of such endorsement, in which event such coupon so stamped shall from such date draw the same rate of interest as it represented on the bonds until it is finally called for payment by the state treasurer. Notice of the time of payment of any bond or coupon shall be made by registered mail to the last known address of the holder thereof as shown on the record of the state treasurer kept for such purpose: *Provided*, No notice shall be required of any payment to be made of any coupon or bond on date named in such coupon or bond. Interest coupons shall be detached by the state treasurer at his office at the time of payment. No bond shall be sold or exchanged for less than the face value thereof, and the commission may, in the call for the sale of any bonds provide that such bonds shall be issued only as deemed necessary by the commission, and the commission may issue a new call at any time or may offer any such bonds for sale from time to time without any formal notice or call for bids thereon. The commission may issue new bonds to take up any issue of bonds theretofore issued, or to take up any issue of warrants, that may have been issued for any purpose authorized in this act or any future act, and the re-issue of any bonds or warrants or the issue of any bonds or warrants to take up any outstanding bonds or warrants or the paying out of any funds raised by the sale of any bonds or warrants shall not be deemed an increase in the amount authorized to be expended or indebtedness created under the provisions of this act.

Par value
maintained.

Re-issue of
bonds.

SEC. 5. Whenever the capitol commission shall offer any bonds for sale, and there shall be in the permanent school fund, or other permanent or investment fund, sufficient uninvested funds to cover the purchase of such issue of bonds or any part thereof, the board, officer or officers, authorized to invest any such fund may invest the same in any of said bonds: *Provided, however*, Whenever any of said bonds are purchased by said school fund or other

Purchase
of bonds.

permanent or investment fund the capitol commission, or the board, commission or officer authorized to succeed it in such functions, may pay any or all of such bonds, so held by the permanent school fund or such other fund at any time there is sufficient money in the capitol building fund for that purpose: *And provided further,* That any and all bonds purchased by any of the permanent funds as in this section provided, shall, for the purposes of such investment, be deemed in all respects state general bonds and shall be guaranteed both principal and interest by the general fund of the state.

Vouchers
signed for
claims.

SEC. 6. All claims authorized to be paid under this act except as otherwise provided or intended, shall be by vouchers signed by the governor as chairman of the capitol commission and attested by the secretary or active secretary thereof, and warrants drawn thereon by the state auditor against the capitol building fund, or other fund or appropriation authorized to be used for such purpose.

Interest paid
from general
fund.

SEC. 7. All interest that may become due on bonds or warrants issued by the capitol commission shall be guaranteed by the state, and such interest shall be paid out of the general fund of the state: *Provided, however,* That any and all expenditures made out of the general fund shall be deemed a loan from said general fund and a debt against the capitol building fund and shall be re-paid to the general fund from the proceeds of the capitol land grant after all other claims against the capitol building fund shall have been paid. Interest payments made out of the general fund as herein authorized may be made when due by the state treasurer and the state auditor shall draw his warrant therefor in favor of the treasurer for the amount so paid.

Refunding.

SEC. 8. Any paying off, or refunding of the present outstanding warrant indebtedness against the capitol building fund shall not be deemed an indebtedness incurred by the state capitol commission and the said capitol commission in addition to the expenditures hereinbefore authorized may at any time expend, for the purposes as out-

lined in section one of this act, any moneys received from the proceeds of the sale or rental of capitol building lands, and all sums of moneys so received are hereby appropriated therefor.

SEC. 9. That section 3 of chapter 69, Laws of 1909, regular session, be hereby amended to read as follows: [Amending § 6698, Rem.-Bal.]

Sec. 3. That the state capitol commission shall cause said lands to be appraised and prepare an abstract or record of all the capitol building lands with such maps and other data as may be deemed necessary to properly show in detail and by legal subdivision the location thereof, and of the timber and other materials thereon, and the character and value thereof, and such record shall be open to inspection to any one desirous of bidding on any such lands or the materials thereon. The commission shall seek proposals by advertising in the public press or otherwise, within or without the state, for the sale of such lands in tracts not to exceed 160 acres in extent, and re-advertise and re-seek other and new proposals or bids as often as said commission shall deem necessary, and may sell any such lands at public auction, with a view to obtaining the full market value of said lands, announcing the times, terms and particulars of sale as is now provided for sale of other state lands: *Provided, however,* The commission may fix times at which offers shall be received on any or all capitol lands, or materials thereon, and the commission may reject or accept any or all such bids but no bid shall be accepted from any bidder for any tract of land or materials on any tract which is not the highest bid offered, except where any bidder has bid on more than one tract his total bids may be taken into consideration in determining the best bid: *Provided further,* That the commission may sell the timber or other materials separate from the land, and said commission shall fix the time in which such timber, or other materials shall be removed from the lands, and may provide that the purchaser of timber or other materials separate from the land shall not be limited as to the time of removal thereof upon payment to the state for

Appraise lands.

Accept or reject bids.

May sell timber separate.

the use of such lands upon which such timber or other materials are situated of an annual rental to be fixed by the commission at or before the time of sale: *Provided further*, That the commission may lease any of the capitol building lands for agricultural purposes for a period of not exceeding five years and under such terms and conditions as the commission may deem advisable, but all improvements made on any such lands by a lessee thereof shall revert to the state at the expiration of the lease.

SEC. 10. That section 5 of chapter 69, Laws of 1909, regular session, be hereby amended to read as follows: Sec. 5. All sales shall take place at the state capitol and the proceeds of such sale of lands, or the timber or other materials shall be paid into the capitol building fund to be used as in this act provided. All contracts for the construction of capitol buildings shall be let after notice for proposals or bids have been advertised for at least four (4) consecutive weeks in at least three newspapers of general circulation throughout the state.

SEC. 11. That section 6 of chapter 69, Laws of 1909, regular session, be and the same is hereby amended to read as follows: Sec. 6. Upon performance by the purchaser of all such conditions as shall have been fixed by the commission for the sale of any such lands or the timber or other materials thereon, conveyances shall be made therefor by deed executed by the governor[,] attested by the secretary of state, to the extent of the interest so sold to such purchaser.

SEC. 12. That section 7 of chapter 69, Laws of 1909, regular session, be and the same is hereby amended to read as follows: Sec. 7. The commission may employ such cruisers, draughtsmen, engineers, architects or other assistants as may be necessary for the best interests of the state in carrying out the provisions of this act, and all expenses incurred by the commission, and all claims against the capitol building fund shall be audited by the commission and presented in vouchers to the state auditor, who shall draw a warrant therefor against the capitol building

[Amending
§ 6700,
Rem.-Bal.]

Advertise
proposals.

[Amending
§ 6701,
Rem.-Bal.]

[Amending
§ 6702.]

Auditor
draw
warrant.

fund as herein provided or out of any appropriation made for such purpose.

SEC. 13. Any of the amounts herein authorized to be expended or obligations incurred, whether such amounts are specifically named or otherwise are hereby appropriated: *Provided*, That at no time shall the total expenditures for capitol buildings and grounds, whether authorized under this act or any subsequent enactment, exceed the estimated value of the capitol land grant.

SEC. 14. An emergency exists and this act shall take effect immediately. Emergency.

Passed by the House February 24, 1911.

Passed by the Senate March 7, 1911.

Approved by the Governor March 13, 1911.

CHAPTER 60.

[H. S. B. 240.]

TO PREVENT SPREAD OF NOXIOUS WEEDS.

AN ACT to prevent the spread of noxious weeds, relating to the duties of owners, lessees and occupants of land and of district road supervisors in connection therewith, providing a penalty for the violation thereof and amending sections 3038, 3039, 3040 and 3041 of Remington and Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That sections 3038, 3039, 3040 and 3041 of Remington and Ballinger's Annotated Codes and Statutes of Washington be and the same hereby are amended to read as follows:

Section 3038. It shall be the duty of every owner, lessee, occupant, or agent thereof, or of any person having the care and charge of any land or lands, improved or unimproved, enclosed or unenclosed, in this state, to cut down, or cause to be cut down, all noxious weeds growing thereon, or on any road, street or highway bordering thereon to the

[Amending
§ 3038,
Rem.-Bal.]

Duty of
owner.