

Section 8618. The public printer shall print and bind the session laws and initiative and referendum measures enacted by the people, the journals of the two houses of the legislature, all bills, resolutions, documents and other printing and binding of either the Senate or House, as the same may be ordered by the legislature; and all forms, blanks, record books and printing and binding of every description required by all state officers, boards, commissions and institutions and the supreme court and officers thereof, as the same may be ordered on requisition, from time to time by the proper authorities: *Provided*, This act shall not apply to the printing of the supreme court reports.

Duty of
public
printer.

SEC. 3. This act is necessary for the immediate support of the existing public institutions of the state and shall take effect immediately.

Emergency

Passed the House February 19, 1915.

Passed the Senate February 25, 1915.

Approved by the Governor March 2, 1915.

CHAPTER 28.

[S. H. B. 56.]

BONDS OF CONTRACTORS ON PUBLIC WORKS.

AN ACT relating to contractors and bonds upon public work and amending sections 1159 and 1161 of Remington and Ballinger's Annotated Codes and Statutes of Washington, and declaring an emergency.

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

SECTION 1. That section 1159 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Amends
Rem.-Bal.
§ 1159, by
adding
proviso.

Section 1159. Whenever any board, council, commission, trustees or body acting for the state or any county or municipality or any public body shall contract with any person or corporation to do any work for the state, county

Public
contracts.

or municipality, or other public body, city, town or district, such board, council, commission, trustees or body shall require the person or persons with whom such contract is made to make, execute and deliver to such board, council, commission, trustees or body a good and sufficient bond, with two or more sureties, or with a surety company as surety, conditioned that such person or persons shall faithfully perform all the provisions of such contract and pay all laborers, mechanics and subcontractors and materialmen, and all persons who shall supply such person or persons, or subcontractors, with provisions and supplies for the carrying on of such work, which bond shall be filed with the county auditor of the county where such work is performed or improvement made, except in cases of cities and towns, in which cases such bond shall be filed with the clerk or comptroller thereof, and any person or persons performing such services or furnishing material to any subcontractor shall have the same right under the provisions of such bond as if such work, services or material was furnished to the original contractor; *Provided, however,* That the provisions of this act shall not apply to any money loaned or advanced to any such contractor, subcontractor or other person in the performance of any such work.

Conditions of bond.

Place of filing bond.

Claims against subcontractors.

Loans or advances not protected.

Amends Rem.-Bal. § 1161, by providing for attorney fees.

Amount of bond.

SEC. 2. That section 1161 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 1161. The bond mentioned in section 1159 shall be in an amount equal to the full contract price agreed to be paid for such work or improvement, and shall be to the State of Washington, except in cases of cities and towns, in which cases such municipalities may by general ordinance fix and determine the amount of such bond and to whom such bond shall run; *Provided,* The same shall not be for a less amount than twenty-five per cent. (25%) of the contract price of any such improvement, and may designate that the same shall be payable to such city, and not to the State of Washington, and all such persons men-

tioned in said section 1159 shall have a right of action in his, her, or their own name or names on such bond for work done by such laborers or mechanics, and for materials furnished or provisions and goods supplied and furnished in the prosecution of such work, or the making of such improvements; *Provided*, That such persons shall not have any right of action on such bond for any sum whatever, unless within thirty (30) days from and after the completion of the contract with an acceptance of the work by the affirmative action of the board, council, commission, trustees, officer, or body acting for the state, county or municipality, or other public body, city, town or district, the laborer, mechanic or subcontractor, or materialman, or person claiming to have supplied materials, provisions or goods for the prosecution of such work, or the making of such improvement, shall present to and file with such board, council, commission, trustees or body acting for the state, county or municipality, or other public body, city, town or district, a notice in writing in substance as follows:

Rights of action.

Necessity of filing claim.

To (here insert the name of the state, county or municipality or other public body, city, town or district):

Notice of claim.

Notice is hereby given that the undersigned (here insert the name of the laborer, mechanic or subcontractor, or materialman, or person claiming to have furnished labor, materials or provisions for or upon such contract or work) has a claim in the sum ofdollars (here insert the amount) against the bond taken from..... (here insert the name of the principal and surety or sureties upon such bond) for the work of (here insert a brief mention or description of the work concerning which said bond was taken).

(here to be signed).....

Such notice shall be signed by the person or corporation making the claim or giving the notice, and said notice, after being presented and filed, shall be a public record open to inspection by any person, and in any suit or action brought against such surety or sureties by any such person or corporation to recover for any of the items here-

Attorney's fees.

Act available
to cities
and towns.

inbefore specified, the claimant shall be entitled to recover in addition to all other costs, attorney's fees in such sum as the court shall adjudge reasonable; *Provided, however,* That no attorney's fees shall be allowed in any suit or action brought or instituted before the expiration of thirty days following the date of filing of the notice hereinbefore mentioned; *Provided further,* That any city may avail itself of the provisions of this act, notwithstanding any charter provisions in conflict herewith; *And provided further,* That any city or town may impose any other or further conditions and obligations in such bond as may be deemed necessary for its proper protection in the fulfillment of the terms of the contract secured thereby, and not in conflict herewith.

Emergency.

SEC. 3. This act is necessary for the immediate preservation of the public safety and support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 8, 1915.

Passed the Senate February 24, 1915.

Sections one and two approved March 2, 1915.

Section three vetoed March 2, 1915.

Section three passed over Governor's veto March 3, 1915.

CHAPTER 29.

[H. B. 132.]

RE-LOCATION OF SUNSET HIGHWAY.

AN ACT to locate the Sunset Highway between Snoqualmie Pass and Wenatchee and directing the state highway commissioner to survey and definitely locate the same.

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

Amends
Laws 1913,
p. 221, § 2b.

SECTION 1. That that portion of the Sunset Highway, established by chapter 65 of the Laws of 1913, lying between Snoqualmie Pass and Wenatchee be located as follows: From Snoqualmie Pass, southeasterly by the most