

SEC. 4. The right hereby granted shall not be exercised within the limits of any regularly organized port district, nor against the right of way of any railroad company within the yard limits thereof, nor unless and until the public service commission after a full hearing shall have determined that existing facilities are inadequate and that a public necessity exists for the construction of additional facilities and shall specify what additional facilities are necessary and shall have further determined that the facilities contemplated to be established will be a public benefit. Such hearing shall be initiated and conducted in accordance with the statutes, rules and regulations relating to public hearings before the public service commission.

Right denied in port districts and on railway rights of way.

Public necessity, determination of.

Passed the Senate January 31, 1919.

Passed the House March 10, 1919.

Approved by the Governor March 12, 1919.

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## CHAPTER 99.

[S. B. 240.]

### BONDING ACT FOR STATE SYSTEM OF TRUNK LINE HIGHWAYS.

AN ACT providing for the construction of a state system of trunk line hard surface highways, providing for the issuance, sale and redemption of state bonds to create a fund for such purpose, and for the submission of this act to a vote of the people.

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

SECTION 1. A state system of trunk line hard surface highways shall be acquired and constructed by the State of Washington as soon as practicable, upon the highways of the state along the routes herein described, so as to connect with each other

Highways specified.

the different communities and principal cities of the state as near as may be, to-wit:

(1) The Pacific Highway from Blaine to Vancouver; also a highway running from Seattle to Des Moines and thence by the most feasible route to Tacoma.

(2) The Sunset Highway from Renton to Spokane and thence east to the Idaho state line.

(3) The Inland Empire Highway.

(4) The Olympic Highway.

(5) The National Park Highway from Tacoma to Ashford and thence by the most feasible route to the Rainier National Park; also from Elbe to the Pacific Ocean at Holman.

SEC. 2. The highways constructed or improved under the provisions of this act shall be finished with a wearing surface of Portland cement concrete, bituminous concrete, asphalt, brick, wood block, stone, or other material equally permanent and durable, not less than eighteen feet in width, laid upon Portland cement concrete base of a minimum thickness of five inches: *Provided*, that if the state highway commissioner shall deem it impracticable to improve any portion of any highway herein described by paving as herein provided, the state highway board may provide for the improvement of such portion of the highway in such manner as in its judgment will best accommodate travel thereon.

No part of the money apportioned under this act shall be used, directly or indirectly, to pay any premium or royalty on any patented or property material, specifications, process or type of construction, unless purchased or obtained on open actual competitive bidding at the same or a less cost than unpatented articles, or methods equally suitable for the same purpose.

SEC. 3. Whenever the making of any part of any road to be improved or constructed under the pro-

Class of paving required.

Royalties and premiums.

Eminent domain by highway board.

visions of this act, or the locating of a route or any part thereof, or the obtaining of road building materials for such work, requires that private property be taken or damaged, the state highway board shall have the right to acquire any such property by purchase or by condemnation in the manner prescribed by law for the acquirement or condemnation of lands necessary for the public uses of the state.

SEC. 4. The state highway board shall divide the state highways into convenient sections for construction purposes, and shall make diligent effort to have the entire trunk line system of hard surface highways completed within six years after the taking effect of this act. The construction work shall, so far as possible, be commenced in different sections of the state at approximately the same time and carried on continuously until all work is completed.

Sectional  
construction.

SEC. 5. The funds provided by this act for the acquisition, construction and improvement of the state system of trunk line hard surface highways shall be expended only for surfacing and the construction of the necessary subgrade therefor including the purchase of machinery or supplies. All construction work shall be done under the supervision of and upon plans and specifications prepared by the state highway commissioner. Contracts for the construction and improvement of said trunk line highways shall be let by the state highway board to the lowest and best responsible bidder, or bidders, on such terms and conditions and on open competitive bidding after public advertisement in such manner and for such times as may be prescribed by said state highway board.

Expenditure  
of funds.

Bids for  
construction  
work.

The state highway board shall have power to provide for the furnishing by the state of any tools,

Purchase of  
machinery  
and supplies.

machinery, supplies or materials needed for such work, and in the event the state highway board undertakes to furnish tools, machinery, supplies, or materials, such tools, machinery, supplies and materials shall be purchased by the state highway board on open competitive bidding.

Co-operation  
with third  
and fourth  
class cities.

SEC. 6. The state highway board is authorized to cooperate with the proper authorities of any city or town of the third or fourth class and expend moneys for the improvement of any portion of any highway herein described which may pass into or through any such city or town.

Permanent  
control of  
highways.

SEC. 7. All highways herein described when constructed along permanent grades and alignment shall be permanently controlled and maintained by the State of Washington.

Bond  
issues.

SEC. 8. For the purpose of providing means for the payment of the cost of construction of said state system of trunk line highways there shall be issued and sold bonds of the State of Washington for an amount not exceeding thirty million dollars (\$30,000,000.00), to bear interest at a rate not to exceed five per cent (5%) per annum, payable semi-annually.

The issuance, sale or retirement of said bonds shall be under the general supervision and control of the state highway board. Such board may in its discretion provide for the issuance of coupon or registered bonds, to be dated, issued and sold from time to time as the construction work progresses, in such amounts as may be necessary to provide money to pay for said work and the expenses incidental thereto. All of the bonds issued hereunder shall mature at the rate of one million five hundred thousand dollars (\$1,500,000.00) principal each year, commencing in the year 1922 and ending in the year 1941. Such bonds shall be signed by the

governor and the state auditor under the seal of the state, and any interest coupons attached to such bonds shall be authenticated by the fac-simile signatures of the same officers. Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the State of Washington in New York, as to principal alone or both principal and interest, under such regulations as the state highway board may prescribe. Said bonds shall be in such denominations as may be prescribed by the state highway board and embody an absolute promise of the State of Washington to pay both principal and interest in gold coin of the United States of the present standard of value and fineness, at such place or places as the state highway board may provide, and to levy sufficient taxes each year to pay the interest and principal of said bonds as they become due. All bonds issued under the provisions of this act shall be sold to the highest and best bidder or bidders, on such terms and conditions and on open competitive bidding after public advertisement and at such times as may be prescribed by the state highway board, but not for a sum so low as to make the net interest returned to the purchaser exceed five per cent per annum, payable semi-annually, as computed by standard tables, upon such sum.

Registration.

Sale terms.

SEC. 9. The money arising from the sale of each issue of bonds shall be deposited in the state treasury to the credit of a special fund to be known as the "State Trunk Line Highway Fund", which shall be used in carrying out the provisions of this act.

State trunk  
line high-  
way fund..

SEC. 10. All moneys paid to the state under the provisions of chapter 142 of the session laws of 1915, commonly known as the Motor Vehicle Code, and all acts amendatory thereof, over and above

Bond re-  
demption  
fund,  
moneys  
payable into.

such moneys as shall be estimated by the secretary of state to be necessary for the purpose of administering said chapter 142, shall be first appropriated and used for the purpose of paying and discharging annually the principal and interest on such bonded indebtedness then due and payable, and shall from time to time be deposited in a special fund to be known as the "State Trunk Line Highway Bond Redemption Fund." Each year after this act becomes effective, and until all of said bonds have been retired, it shall be the duty of the state board of equalization to include in the tax levied for state purposes a direct annual tax for such amount as shall be necessary and sufficient, in addition to the moneys collected under said chapter 142 and paid into the said state trunk line highway bond redemption fund, to pay the interest annually as it shall accrue on each and every bond issued under the provisions of this act and also to pay and discharge the principal of such bonds at par value as such bonds shall respectively fall due: *Provided*, that no such direct annual tax shall be levied for any year in which sufficient money is collected under said chapter 142 and paid into said bond redemption fund to pay the interest as it shall accrue on said bonds for that year and also to pay and discharge the principal of all of said bonds falling due during such year.

Maintenance  
fund.

Any surplus of moneys collected under said chapter 142 after the payment of the expenses of administering said law by the secretary of state and providing for the payment of the principal of and the payment of the interest on bonds falling due during that year, as aforesaid, shall be paid into a fund to be known as the "State Trunk Line Highway Maintenance Fund" and used for the purpose of maintaining the roads herein described in pursuance of appropriations therefor by the legislature.

Any surplus remaining in the state trunk line highway maintenance fund over and above that expended in pursuance of appropriations for the maintenance of roads as herein provided, shall annually be distributed to the various counties, cities and towns of the state in the following manner:

Distribution  
of surplus.

To the various counties of the state in which are located primary highways the improvement and maintenance of which is not provided for by this act, for the maintenance of such highways; and to the various cities and towns of the state in which are located streets forming a part of the route of any primary highway through such city or town, for the maintenance and improvement of such streets, a sum not to exceed two hundred dollars (\$200.00) per mile for each mile of such primary highway and streets.

Primary highways and city and town streets, in order to come under the provisions of this act for maintenance purposes, must be of a character equal and up to the standard of permanent highway construction. All sums apportioned to counties shall be placed in the permanent highway maintenance fund of such county. All sums distributed to cities and towns shall be remitted by the state auditor to the cities and towns entitled thereto and shall be expended by such cities or towns only for the maintenance or improvement of such streets. The state highway board shall determine what streets in cities and towns form a part of the route of any primary highway through such city or town, and what primary highways the improvement and maintenance of which is not provided for by this act, and shall between the 15th day of February and the 15th day of March of each year certify in triplicate, one copy to the state treasurer, one copy to the county commissioners of each of such counties, and one copy to the clerk of each city or town affected by the pro-

Apportion-  
ment to  
counties  
and cities.

visions of this act, the number of miles of primary highway, or city and town streets entitled to apportionments as provided by this act. Any surplus remaining in the state trunk line highway maintenance fund after the making of such apportionments shall be distributed to the various counties of the state in proportion to the amounts paid into the permanent highway fund by the various counties of the state and placed in the permanent highway maintenance fund.

SEC. 11. Whenever any county shall have expended any moneys from the road and bridge fund or from the proceeds of bonds in the improvement or construction of any of the highways described in this act by paving such highway, the state highway board shall, if such paved highway is of proper and durable hard surface type to make it practicable to do so, utilize such paved highway in the system of state trunk line highways provided for in this act. If any highway so paved by any county be so utilized, the state highway board shall determine the amount by which the utilization of such paved highway lessens the cost of improving and constructing the state trunk line system of highways provided for in this act, and such amount (in no event to exceed the actual amount of the first cost of construction paid from the funds of such county) shall be placed to the credit of such county in the permanent highway fund in six annual installments, beginning on the first day of January, 1922, or, if the board of county commissioners of any county so elect, such payment, instead of being credited to such county in the permanent highway fund, shall be paid to such county to be used in the payment of any county bonds issued by said county for the improvement of any such highway.

SEC. 12. This act shall be submitted to the people for their ratification at the next general election

Utilization  
of county  
highway im-  
provement.

Credit  
extended  
to county.

Referendum  
to people.



in accordance with the provisions of section 3 of article VIII of the state constitution; and in accordance with the provisions of section 1 of article II of the state constitution, as amended at the general election held in November 1912, and the laws adopted to facilitate the operation thereof.

Passed the Senate March 3, 1919.

Passed the House March 8, 1919.

Approved by the Governor March 12, 1919.

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## CHAPTER 100.

[S. B. 50.]

### AMENDING ACT REGULATING THE PRACTICE OF LAW.

AN ACT relating to admission to the practice of law, amending sections 1, 10, 11, 12, 17 and 18 of chapter 115 of the Laws of 1917, and adding thereto a new section to be known as section 12½.

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

SECTION 1. That section 1 of chapter 115 of the Laws of 1917 be amended to read as follows:

Section 1. No person shall be permitted to practice as an attorney or counselor at law, or to commence, conduct or defend any action or proceeding in which he is not a party in interest in any of the courts of this state either by using or subscribing his own name or the name of any other person, or to give advice on legal matters or to do work of a legal nature for a fee or as a business, or to solicit business or to advertise or represent himself in any way, as an attorney or counselor at law, unless he is a citizen of the United States and a resident of this state and he has been previously admitted to practice law in the courts of this state, and is in good standing therein: *Providing, however, attor-*

Persons  
entitled to  
practice law.