

CHAPTER 56.

[H. B. 393.]

PROVIDING FOR THE CONSTRUCTION OF INTER-STATE OR INTER-COMMUNITY BRIDGES.

(For bridges over navigable stream, see Rem.-Bal., § 7869; Pierce's Code, 1912, 77 § 507. See also 6 Fed. St. Ann., p. 805; 3 U. S. Comp. Stat., p. 3540.)

AN ACT relating to the purchase, construction, maintenance, control and operation of bridges in this state and between this state and adjoining states, counties, cities and towns, and providing for the co-operation of the said counties, cities and towns in this state with each other and with the United States, or adjoining states or the counties, cities or towns therein, in the purchase, construction, maintenance, control and operation of the same.

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

(For right of cities and counties to join, see, Rem.-Bal., §§ 5676, 5678, 5679; Pierce's Code, 1912, 61 §§ 5, 9 and 13.)

SECTION 1. The State of Washington and all counties, cities or towns within the state are hereby authorized and empowered to join with each other or to aid the State of Washington, the federal government, or any adjoining county, city or town in this state, or to jointly or separately join with any adjoining state, county, city or town in the purchase, construction, control, operation and maintenance of any bridge or bridges over or across any river, stream or body of water being within or constituting the boundary line of the state or of any county therein.

SEC. 2. That whenever the legislature of the State of Washington shall have made provision for the purchase or construction of a bridge or bridges, jointly with counties, cities or towns in this or adjoining states, the state highway board is hereby authorized and empowered to represent and act for and on behalf of the State of Washington for the purpose of carrying into effect the provisions of this act, and any other act making an appropriation for the purchase or the construction of a bridge or bridges, which come under the provisions of this act, and when the State of Washington joins in the purchase or construction of a bridge jointly with adjoining states or with the counties, cities, or towns of any adjoining states, or jointly with counties, cities, or towns in this state, the purchase or construction of such bridge or bridges shall be under

Highway board to represent state.

Joint control with other states.

the direction, control and management of the state highway board acting jointly with the public authority legally authorized to represent and act for such adjoining state, county or city, and when counties or cities in this state shall join with the state for the purchase or construction of a bridge built or to be built in this state, or on the boundaries thereof, the money or funds furnished or provided by such county or city shall be expended under the direction, supervision and control of the state highway board, and under the provisions of this act.

Expenditures under direction of highway board.

SEC. 3. Whenever provision is made for the purchase or construction of a bridge, which comes under the provisions of this act, the state highway commissioner, upon being directed by the state highway board, shall confer with the legally authorized public authorities of any adjoining state or city or county or cities within this state, and acting jointly with such authorities make or cause designs, maps, plans, specifications, drawings, details, estimates, and all other requirements for full information with reference to the location and construction of such bridge to be made, and shall determine the kind, character and dimensions of the bridge to be constructed, subject to the approval of the state highway board. That after the plans and specifications have been agreed upon by the public authorities, representing the respective states, counties, cities or towns interested, bids shall be advertised by giving such notice as the parties interested shall agree upon, *Provided*, That in no event shall less than thirty (30) days' notice be given. The notice shall provide that the contract shall be let to the lowest responsible bidder, and that the authorities acting jointly in giving the notice reserve the right to reject any and all bids, and the notice shall state the proportion of the total amount to be paid by each.

Maps, plans, etc.

Style of bridge.

Bids.

Call for bids.

SEC. 4. That upon the final acceptance of the bid for the construction of a bridge, under the provisions of this act, the state highway board, acting jointly with the public authorities of any other state, county, or city, or county or city in this state, shall enter into a contract for the

Contract for construction.

Contractor's
bond. See
Rem.-Bal.,
§§ 1159-1161;
Pierce's
Code, 1912,
309 §§ 93-97.

construction of the bridge and shall require the contractor to furnish a surety bond for the faithful performance of the contract, in such sum as shall be fixed by such joint authorities, and shall also require the contractor to furnish an additional bond in the sum to be fixed by the state highway board of Washington, conditioned as is provided in sections 1159 to 1161, inclusive, of Remington & Ballinger's Annotated Codes and Statutes of Washington, and shall file said last mentioned bond with the auditor of the State of Washington, which bond shall be approved by the attorney general.

Clerical
assistance.

Supervising
engineer.

Payments,
how made.

SEC. 5. The highway commissioner, when directed by the highway board, is hereby authorized to rent office rooms, purchase the necessary supplies and to employ clerical and engineering assistance necessary in making the preliminary arrangements, and during the construction of the bridge; the compensation of such employees to be fixed by the state highway board. The state highway board shall have authority to act jointly with the other public authorities interested in the construction of such bridge, to employ a supervising engineer to be in charge of the work of the construction of the bridge, whose compensation shall be fixed by the state highway board, and the public authorities of any adjoining state, county or city, joining in the construction of the bridge. The payment of salaries of employes and all other expenses shall be deemed a part of the construction work, and shall, including payments on contract, be made only on vouchers approved by the state highway commissioner, and payable only out of funds provided therefor.

County may
incur indebtedness.

SEC. 6. Whenever the board of county commissioners of any of the counties in this state shall deem it for the interest of the county to engage in or to aid in the purchase or construction of any bridge or bridges, under the provisions of this act, and to incur indebtedness to meet the cost thereof and expenses connected therewith, and issue bonds of the county for the payment of such indebtedness or any thereof, such county is hereby authorized and

empowered, by and through its county commissioners, to engage in or aid in any such work as aforesaid, and to incur indebtedness for such purpose or purposes to an amount which, together with the then existing indebtedness of such county, shall not exceed five (5) per centum of the taxable value of the taxable property in said county, as shown by the last previous assessment roll thereof for state and county purposes, and to issue negotiable bonds of the county for all or any such indebtedness, and for the payment thereof, in the manner and form and as is provided in sections 5094 to 5101, inclusive, of Remington & Ballinger's Annotated Codes and Statutes of Washington, and other laws of this state which shall then be in force, and to make part or all of such payment in bonds or moneys derived from sale or sales thereof, or partly in such bonds and partly in such money, provided that said commissioners shall have first submitted the question of incurring such indebtedness to the voters of the county at a general or special election, and three-fifths of the voters voting upon the question shall have voted in favor of incurring the same.

SEC. 7. That any and every such purpose as is mentioned in the foregoing section is hereby declared to be a county purpose, and the bonds or the money derived from the sale of the same shall be deposited with the proper state authorities, as directed by the state highway board, and expended under the provisions of this act, provided that any bonds or funds so deposited and not used for such purpose shall be returned to the county making the deposit.

SEC. 8. That whenever the city council of any incorporated city or town in this state shall deem it advisable to join with or aid in the purchase or construction of any bridge or bridges within or partly within the corporate limits of such city or town, under the provisions of this act, and to contract indebtedness to meet the cost thereof and expense connected therewith, and to issue negotiable bonds of the city or town for the payment of such indebtedness or any part thereof, said city or town by

Limitation.

Bonds.

See Rem.-
Bal., §§ 5094-
5101;
Pierce's
Code, 1912,
421 §§ 19-33.Payments
may be by
bonds.

Election.

Bonds are
for county
purpose.Cities may
assist.May incur
indebtedness.

and through its council is hereby authorized and empowered to engage or aid in the purchase or construction of such bridge or bridges or public work, as aforesaid, and to incur indebtedness for such purpose or purposes to an amount which together with the then existing indebtedness of such city or town shall not exceed five (5) per centum of the taxable value of the taxable property of such city or town, to be ascertained by the last assessment of such city or town for city or town purposes, previous to the incurring of such indebtedness, and to issue negotiable bonds of such city or town for all or any such indebtedness, and for the payment thereof in the manner and form, as is provided in section 8041 to 8049, inclusive, of Remington & Ballinger's Annotated Codes and Statutes of Washington, and other laws of this state which shall then be in force, and to make a part or all of such payments in bonds or money derived from sale or sales thereof, or partly in such bonds and partly in such moneys, provided that the council of said city or town shall have first submitted the question of incurring such indebtedness to the voters of said city or town at a special election held according to law, and three-fifths of the legal ballots cast on said question shall be in favor of incurring such indebtedness.

Limitation.

Bonds.

See
Rem.-Bal.,
§§ 8041-8049;
Pierce's
Code, 1912,
421 §§ 69-85.

Election.

Bonds are
for mu-
nicipal
purposes.

SEC. 9. That any and every such purpose as is mentioned in the last preceding section is hereby declared to be a strictly municipal purpose, and that the bonds, or the money derived from the sale of the same, shall be deposited with the proper state authorities, as directed by the state highway board, and expended under the provisions of this act, provided that any funds or bonds so deposited and not used for the purpose for which they were deposited shall be returned to the city or town so depositing the same.

State to own
bridge.

SEC. 10. That upon the purchase or construction of any bridge jointly or with any adjoining state, county or city, the same shall be accepted by the state highway board acting in conjunction with such public authorities of any

adjoining state, county or city, joining in its construction, and the state shall own one-half of such bridge, and the same shall become the exclusive property of the State of Washington, and under the control and management of the state highway board.

SEC. 11. That whenever it is deemed advisable by the common council of any city or town and the county commissioners of any county in this state to purchase or construct a bridge within or partly within such city or town, the council and commissioners are authorized and empowered to enter into an agreement for the construction of such bridge, upon such terms as may be mutually agreed upon, each contributing such sum towards the purchase or construction of the same as may be determined to be just and proper, and enter into contract for the construction of such bridge and to spend public funds thereon, and if deemed necessary may bond the county or city or town in the manner herein specified. The contracts for letting the same and notice given to bidders, and all other matters pertaining to the construction shall be governed by the laws in force governing the construction of bridges by county commissioners in the State of Washington, provided the payments to be made on the contract by the respective municipal corporations be made direct to the contractor.

City and
county
may join.

Bonds of
city or
county.

SEC. 12. The state highway board is authorized and empowered, acting jointly with any legally authorized body or public authority of any adjoining state, county or city joining in the construction of such bridge, to grant franchises for laying rails and the operation of electric street and suburban railways, and other public utilities, except steam railroads, and for the laying thereon and suspending therefrom pipes for the carrying of water, gas and other substance, and wires and cables for the conducting of electricity for telegraph, telephone, lighting, heating, power and other purposes, provided that no exclusive franchise shall be granted or given any person, firm or corporation for any use or purpose, but such

Franchises.

Franchises
not
exclusive.

Conditions.

bridge shall be for common use for all public service corporations or individuals, upon such terms as may be prescribed. That in the granting of any right, privilege or franchise to any person, firm or corporation for the use of said bridge for any purpose, the state highway board shall fix and prescribe the compensation to be paid for the use of such bridge, subject to the approval of the public service commission: *Provided*, That the rates, sums or amounts which shall be fixed in the franchise, granted to any person, firm or corporation shall be subject to change, raised or lowered, at any time by the public service commission, or any other body possessing the same powers as is now possessed by the public service commission of the State of Washington, and new or different rates or charges fixed by the public service commission, acting jointly with the other public authorities herein mentioned: *Provided further*, That the powers and duties given to the public service commission by the laws of the State of Washington are extended to include any bridge which may have been built by the aid of the State of Washington, and which has become the property of the State of Washington under the provisions of this act.

Public service commission given powers over such bridges.

Proceeds from franchise rights paid into public highway fund.

SEC. 13. All moneys derived from any source from the use of such bridge by any persons, firm or corporation shall be paid into the public highway fund of the State of Washington.

Powers of highway board.

SEC. 14. That the state highway board is hereby given power and authority to do all acts and things necessary to carry out the provisions of this act, whether mentioned herein or not, and to construct, complete and maintain any bridge which may be authorized to be constructed under the provisions of this act.

Definitions.

SEC. 15. The meaning of words and phrases used in this act shall, unless inconsistent with the context, be as follows: "Bridge" shall include public road, and shall include bridge, bridge approach, culvert or viaduct over the state boundary line, or over a stream, river or body of water within, at, or constituting the boundary line of

the state or county. "Construct" shall include to build, repair, maintain, improve, or other like work. "Construction" shall include repair, maintenance, improvement, or other like work. "Public authorities" shall mean the county commissioners of the county or the constituted authorities of any county having control of roads and bridge construction or the council, when cities or towns are referred to. Words importing the plural number may be applied in the singular, and words importing the singular may be applied in the plural.

Passed the House February 13, 1913.

Passed the Senate March 5, 1913.

Approved by the Governor March 11, 1913.

CHAPTER 57.

[H. B. 283.]

ALLOWING CERTAIN CITIES TO CREATE PUBLICITY FUND.

AN ACT authorizing cities of the second class under 18,000 inhabitants to create a publicity fund and to levy taxes for that purpose, and providing for the manner of the expenditure of such fund.

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

SECTION 1. Any city of the second class under 18,000 inhabitants of the State of Washington is hereby empowered to create a special fund to be known as a publicity fund, to be used exclusively for exploiting and advertising the general advantages and opportunities of such city and vicinity. Whenever the city council or other governing body in any such city shall decide to create a publicity fund under this act, such council or governing body of such city shall do so by ordinance, and thereupon the council or other governing body of such city shall have authority to levy annually for the creation and maintenance of such fund a special tax on all of the taxable property of such city, not exceeding two and one-half mills on the dollar of the assessed valuation of the taxable property of

Second class
city under
18,000.

Fund.

Special tax.