

CHAPTER 11.

[Senate Bill No. 27.]

RELATING TO ROAD MATERIALS.

AN ACT to amend chapter 226, Session Laws 1909, approved March 17, 1909, entitled "An act providing for a field examination of the state, with a view to ascertaining the existence and location of suitable road-making materials, and for the acquisition by the state of quarries of such materials, and the installation at such quarries of suitable rock-crushing machinery and other conveniences for operating said quarries by convict labor or free labor and for the disposition of the output of such quarries, and making an appropriation therefor," by amending sections 2, 6 and 8 thereof, and declaring an emergency.

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

SECTION 1. That section 2 of said act be and the same is hereby amended to read as follows: Sec. 2. Upon receipt of said partial report, together with maps, data, etc., the State Highway Commissioner shall, if there be found to exist materials suitable and in quantities and places sufficient therefor, select four or more sites best adapted for the location and establishment of rock quarries and crushing plants for supplying materials suitable and proper for the construction of highways, and, if found practicable, two or more of which sites shall be selected west of the summit of the Cascade mountains and two or more east thereof.

[Am'd. § 2,
ch. 226, p.
811, L. '09,
Reg. Ses.]

Four or more
quarries.

SEC. 2. That section 6 of said act be and the same is hereby amended to read as follows: Sec. 6. All convicts maintained at said quarry sites shall, when physically able and so long as there is a demand for the output from such quarry, be kept and employed continuously (except Sundays and legal holidays) in the quarrying, crushing, preparation and handling of rock or other materials for roads or streets. All rock so crushed shall be, upon the request of the State Highway Commissioner, loaded upon the car or vessel and there delivered to said State Highway Commissioner, who shall use the same in the construction or maintenance of state roads or state aid roads: *Provided, however,* That so much of said material as the State High-

[Am'd. § 6,
ch. 266, p.
183, L. '09,
Reg. Ses.]

Materials
used on state
roads.

Surplus
sold to mu-
nicipalities.

way Commissioner may not at any time require for use on state roads or state aid roads shall be by said Highway Commissioner disposed of at cost f. o. b. the car, scow or boat at the place of production, to counties, cities or towns within the state in the order of application therefor, excepting in cases where the demands of said counties, cities and towns may be in excess of the supply, in which case the State Highway Commissioner shall apportion, deliver and distribute such material among the several counties, cities and towns applying, in such proportion as in his judgment may seem fair and equitable: *Provided further*, That all materials used by the State Highway Commissioner on any state road shall be paid for out of the appropriation, apportionment or fund for the construction or improvement of the particular road upon which it is used, and all material sold to the State Highway Commissioner or to any county, city, town or other municipality, shall be at the actual cost of production at the place of delivery: *Provided further*, That when the quantity of material on hand is in excess of the amount demanded by the State Highway Commissioner for use upon state roads, or state aid roads, or for disposition to the counties, cities and towns as herein provided, then the same may be disposed of by the State Board of Control at such prices, not less than cost of production, as said board may deem most advantageous for the state, giving prior right of purchase to citizens of the State of Washington before applicants from another state: *And provided further*, That nothing in this act shall be so construed as to prohibit the State Board of Control from employing within said stockades, or at said quarry sites, in the production of said material and in the operation of said quarry, such free labor as the board may deem necessary or proper.

Private
parties may
purchase.

[Am'd. § 8,
ch. 226, p.
814. L. '09,
Reg. Ses.]

SEC. 3. That section 8 of said act be and the same is hereby amended to read as follows: Sec. 8. For the purpose of making the field examination and report provided for in section 1, of this act, the sum of five thousand dollars (\$5,000), or so much thereof as may be necessary, is hereby appropriated out of any funds in the treasury

Shipping
facilities.

not otherwise appropriated. For the purpose of acquiring such sites and purchasing and installing such crushing machinery, appliances, tools and cars herein mentioned, there is hereby appropriated the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, out of the state highway fund. For the purpose of building and erecting the necessary stockades and buildings in this act provided for the purpose of confining and housing the convicts, there is hereby appropriated the sum of twenty-four thousand dollars (\$24,000) out of the general fund of the state. All warrants drawn against these appropriations pursuant to the provisions of this act, including interest thereon, shall be paid in the same manner as the state's general fund warrants are paid. Any and all unexpended balances in the above appropriations not necessary for the specific purposes for which such appropriations were made, are hereby authorized to be used for the purpose of maintaining and operating the machinery, quarries and plants established until such time as the proceeds from the sale of products of such quarries shall be sufficient for the operation thereof, and all such funds so used shall be repaid to the respective funds from which used whenever the State Board of Control shall deem sufficient funds have been received from the sale of the products of such quarries over and above the amount required for the operation of such plants. All moneys received from the sale of the products of such quarries as in this act provided shall be paid into the state treasury, and shall be kept in a fund to be known as the Good Roads Fund, and there is hereby appropriated from such fund for the purpose of maintaining such quarries and all the necessary expense in connection therewith, including the repayment to certain funds as above provided and the cost and expense of transporting to and from, keeping and guarding the convicts working therein, for which no other provision is made by law, to be expended on order of the State Board of Control, all sums paid into such Good Roads Fund: *Provided, however,* No warrants shall be issued against the appropriation herein made from such Good

Appropriation
\$100,000.

Appropriation
for convict
camps
\$24,000.

Warrants,
how paid.

Unexpended
balances of
appropriation,
how used.

Good Roads
fund.

Roads Fund for an amount in excess of the amount remaining in such fund at the time of the issuance of the warrant.

Emergency.

SEC. 4. An emergency exists and this act shall take effect immediately.

Passed by the Senate July 2, 1909.

Passed by the House August 19, 1909.

Approved by the Governor August 23, 1909.

CHAPTER 12.

[Senate Bill No. 10.]

RELATING TO GAME.

AN ACT for the protection of game animals and game birds of the State of Washington, defining violations thereof, providing punishment for the same and repealing all other laws in conflict herewith.

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

SECTION 1. Every person who shall, within the State of Washington, at any time between the thirtieth day of November and the thirtieth day of September of the following year, hunt, pursue, take, kill, injure, destroy or possess any deer, mountain goat, mountain sheep or caribou, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as hereinafter provided. Every person who shall, within the State of Washington, during the season when it is lawful to kill the same, take or kill more than two deer, or shall kill any spotted fawn, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished as hereinafter provided. Every person who shall at any time shoot or kill in any manner a deer when such deer is in any river or lake, or body of salt water, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as hereinafter provided.

SEC. 2. Every person who shall, within the State of Washington, hunt, pursue, take, kill, injure, destroy or possess any grouse, ruffed grouse, Hungarian partridge,

Deer, mountain goat, etc.
Season from
Sept. 30 to
Nov. 30.

Grouse,
season, Oct.
1 to Jan. 1.