

University of Washington for the purposes provided in RCW 28.76.180.

Passed the Senate February 26, 1959.

Passed the House March 9, 1959.

Approved by the Governor March 17, 1959.

CHAPTER 151.

[S. B. 224.]

FOREST PROTECTION.

AN ACT relating to forest protection; amending section 10, chapter 142, Laws of 1955, as amended by section 7, chapter 111, Laws of 1957 and RCW 76.04.250; amending section 12, chapter 142, Laws of 1955 and RCW 76.04.270; amending section 16, chapter 125, Laws of 1911, as amended by section 3, chapter 33, Laws of 1917, and RCW 76.04.310; and amending section 17, chapter 125, Laws of 1911, as last amended by section 13, chapter 142, Laws of 1955 and RCW 76.04.320.

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

SECTION 1. Section 10, chapter 142, Laws of 1955, as amended by section 7, chapter 111, Laws of 1957 and RCW 76.04.250 are each amended to read as follows:

RCW 76.04.250 amended.

It shall be unlawful for anyone to operate within one-eighth mile of any forest land during the period April fifteenth to October fifteenth inclusive, which period shall be designated as the closed season unless the designated season is extended by the supervisor due to dangerous fire conditions:

Spark emitting machines regulated.

(1) Any woods operation or mill using spark emitting or electric engines unless provided with the following fire tools, or the serviceable equivalent thereof, at each landing and/or yarding tree or mill:

(a) For operations employing more than five men:

Spark
emitting
machines
regulated.

To be kept in a sealed tool box: Three double bitted axes having heads weighing not less than three pounds and not less than thirty-two inch handles, six long handle round point shovels or "D" handle round point shovels and six adze eye forestry fire fighting hoes;

To be kept adjacent to the tool box: Two bucking saws with handles unless power chain saw in working condition is kept on landing during the period of actual operation and until the end of the watchman service as required by RCW 76.04.320, and one five-gallon back pack pump can filled with water and one hundred gallons of water;

(b) For operations employing five men or less:

To be kept in a sealed tool box: Two double bitted axes having heads weighing not less than three pounds and not less than thirty-two inch handles, three long handle round point shovels or "D" handle round point shovels, and three adze eye forestry fire fighting hoes;

To be kept adjacent to the tool box: One bucking saw with handles unless power chain saw in working condition is kept on landing during actual operation and until the end of the watchman service as required in RCW 76.04.320, and one five-gallon back pack pump can filled with water, and fifty gallons of water and two buckets.

(2) Any gasoline, diesel, or electric yarding, skidding, or loading engine unless:

(a) Equipped with two chemical fire extinguishers of not less than one and one-half quart capacity each;

(b) Exhaust is turned up perpendicular and is clear of all obstructions or is equipped with an adequate spark arrester.

(3) Any tractor unless:

(a) Equipped with one chemical fire extinguisher of not less than one quart capacity;

(b) It has a suitable exhaust pipe of a minimum of eighteen inches in length above the normal position of the hood and is turned up perpendicular or is equipped with an adequate spark arrester.

(4) Any truck or vehicle hauling forest products for commercial purposes from any forest area unless:

(a) Equipped with a chemical fire extinguisher of at least one quart capacity;

(b) Equipped with one double bitted axe having a head weighing not less than three pounds and not less than a thirty-two inch handle;

(c) Equipped with one long handle round point shovel or a "D" handle round point shovel;

(d) Exhaust is turned up perpendicular or equipped with adequate spark arrester or muffler.

(5) Any portable power saw unless the power saw operators keep in their immediate possession a suitable chemical fire extinguisher of at least eight ounce capacity, and a suitable shovel and the power saw is equipped with a muffler or other device adequate to prevent the emission of sparks.

(6) Any gasoline or diesel engine used in a mill or other fixed position for uses not specifically mentioned above unless:

(a) Equipped with chemical fire extinguisher of at least one quart capacity;

(b) Exhaust is pointed up perpendicular and is clear of all obstructions or is equipped with an adequate spark arrester;

(c) One hundred gallons of water and two buckets.

All equipment required in this chapter must be kept in serviceable condition at all times. Tool boxes must have waterproof lids, must be of sound construction and provided with hinges and hasp so arranged that the box can be properly sealed.

The water requirements specified herein will be satisfied provided the containers are equipped with

a gate valve three quarters inch or larger inside diameter and have provisions for venting or have the top open, and are so located that the contents can be withdrawn by one man working alone.

The supervisor of forestry may reduce the requirements set forth herein by written permission whenever in his judgment the operation is of such type or location and/or the weather is such that all of the requirements herein are not required for the protection of life and property.

RCW 76.04.270 amended.

SEC. 2. Section 12, chapter 142, Laws of 1955 and RCW 76.04.270 are each amended to read as follows:

Work stop-
page notice
—Penalty for
violation.

Every person upon receipt of written notice issued by the supervisor or any regularly employed warden or ranger, that such person has or is violating any of the provisions of RCW 76.04.240, 76.04.245, 76.04.250, 76.04.260, 76.04.310, and 76.04.320, as amended, shall cease such operations until the provisions of the sections specified in such notice have been complied with. The forest officer may specify in the notice of violation the special conditions and precautions under which the operation would be allowed to continue until the end of that working day. Any person violating the statutory provisions above referenced, and as amended, or the written notice provided for herein, shall upon conviction be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars.

RCW 76.04.310 amended.

SEC. 3. Section 16, chapter 125, Laws of 1911, as amended by section 3, chapter 33, Laws of 1917, and RCW 76.04.310 are each amended to read as follows:

Burning on
rights of way.

Everyone clearing right of way for railroad, public highway, private road, ditch, dike, pipe or wire line, or for any other transmission, or transportation utility right of way, shall pile and burn on such right of way, or dispose of by other satisfactory procedure all refuse timber, brush, and debris cut thereon, as rapidly as the clearing or cutting pro-

gresses, or at such other times as the forester may specify, and if during the closed season, in compliance with the law requiring burning permits. No one clearing any land or right of way, or in cutting or logging timber for any purpose, shall fell, or permit to be felled, any trees so that they may fall on to land owned by another without first obtaining permission from such owner in addition to complying with the terms of this section for the disposal of refuse. All the terms of this section and other forest laws of the state shall be observed in all clearings of right of way or other land on behalf of the state itself or any county thereof, either directly or by contract; and, unless unavoidable emergency prevents, provision shall be made by all officials directing such work for withholding a sufficient portion of the payment therefor until the disposal is completed, to insure the completion of the disposal in compliance with this section.

SEC. 4. Section 17, chapter 125, Laws of 1911, as last amended by section 13, chapter 142, Laws of 1955, and RCW 76.04.320 are each amended to read as follows:

RCW 76.04.320 amended.

Wherever a spark emitting or electric engine is operated within one-eighth mile of forest land for the logging of timber, the clearing of land of wood material, the processing of wood material, or for exploratory drilling during the period April 15th to October 15th inclusive the following requirements shall be instituted:

Spark emitting electric engines—
Watchman—
Removal of snags.

(1) Provide at least one competent man as a watchman at each logging side, construction or land clearing area, wood processing plant, or drilling site where the above described spark emitting engine was operated. Such watchman shall be trained in the suppression of fire and shall be vigilant to detect fire. Said watchman service shall continue for a

minimum of two hours following each time the spark emitting or electric engine ceases operations.

(2) Cut down all snags, stubs, and dead trees over fifteen feet in height within a radius of one hundred fifty feet and clear the ground of all inflammable debris within a radius of thirty-five feet from each spark emitting or electric engine operating at each landing, and/or yarding tree, mill or drilling site.

(3) The supervisor of forestry may modify in writing the provisions herein contained whenever in his judgment the operation is so located or the weather is such that they would be unnecessary for the protection of life and property.

Passed the Senate February 28, 1959.

Passed the House March 9, 1959.

Approved by the Governor March 17, 1959.

CHAPTER 152.

[S. B. 253.]

HORTICULTURE.

AN ACT relating to horticulture; amending sections 1, 9, 10, 11 and 13, chapter 163, Laws of 1957 and RCW 15.04.100, 15.16-.035, 15.16.040, 15.16.050 and 15.16.060; and repealing section 8, chapter 163, Laws of 1957 and RCW 15.08.280.

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

RCW 15.04.100 amended.

SECTION 1. Section 1, chapter 163, Laws of 1957 and RCW 15.04.100 are each amended to read as follows:

Horticulture inspection trust fund.

The director shall establish a horticulture inspection trust fund to be derived from horticulture inspection district funds. The director shall adjust district payments so that the balance in the trust fund shall not exceed seventy-five thousand dollars.