

the two year period above mentioned has already elapsed, said executor shall, within a reasonable time from and after the date this act takes effect, file the petition provided for in this section.

Passed the House March 11, 1937.

Passed the Senate March 9, 1937.

Approved by the Governor March 15, 1937.

CHAPTER 152.

[H. B. 330.]

PREVENTION OF FOREST FIRES.

AN ACT for the protection of forests and the prevention and suppression of fires, and amending sections 5794, and 5806 of Remington's Revised Statutes, and setting up provisions for closure of logging operations during abnormal forest fire weather.

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

SECTION 1. That section 5794, Remington's Revised Statutes, be and it is hereby amended to read as follows:

Amends
§ 5794, Rem.
Rev. Stat.
(§ 2571 P. C.)

Section 5794. It shall be unlawful for anyone to operate any spark-emitting railroad logging locomotive, logging or farming engine or boiler during the closed season, or for any one to operate any spark-emitting locomotive, within one-quarter ($\frac{1}{4}$) of one (1) mile of any forest material during the closed season, without such railroad or logging locomotive is provided with and uses a safe and suitable device for arresting sparks, a suitable power pump of not less than 3" x 2" x 3" or equivalent steam pump, with a discharge air chamber, three hundred (300) feet of one and one-half ($1\frac{1}{2}$) inch hose equipped with a standard nozzle, three (3) axes, six (6) shovels, one (1) five (5) gallon hand pump, two (2) bucking saws, six (6) mattocks or the serviceable equivalent

Locomotives,
spark-
arresters.

to such tools. The hand equipment must be kept in a sealed box, ready for instant use on or adjacent to such locomotive, logging engine or farm engine.

Chemical fire
extinguisher.

On all gas and diesel donkey engines, some form of chemical fire extinguisher must be provided.

Sprinkler
system.

All logging locomotives shall be equipped with a sprinkler system which shall be capable of wetting the tracks and at least two (2) feet on either side of each rail. Such sprinkler system shall be manually controlled from the cab. The water supply tank for such sprinkler shall be capable of carrying an adequate supply of water in direct relation to the mileage of track covered and the available water supply.

Locomotives,
ash-pan
protector.

It shall be unlawful for anyone to operate during the closed season any railroad locomotive, logging locomotive, or logging, or other engine or boiler within one-quarter ($\frac{1}{4}$) of one (1) mile of any forest material, without such railroad locomotive, logging locomotive, or logging or other engine or boiler is provided with and uses an adequate device to prevent the escape of fire or live coals, or other burning substance from all ash pans, and all fire boxes, except when said ash pans and fire boxes are being cleaned when not in motion. Any donkey boiler, when equipped to operate without the use of exhaust steam, within the stack, and without any artificial means of creating a forced draught, shall not be considered a spark-emitting machine.

Speeder
patrol.

It shall be unlawful for common carrier railroad companies to operate trains through forested districts unless such trains are followed by a speeder patrol at such times and in such places as the state supervisor of forestry may designate, each patrol to be equipped with a five (5) gallon fire extinguisher, two (2) shovels and an axe. In case a railroad company fails to provide patrol as required, the state supervisor of forestry is hereby authorized to em-

ploy patrolmen for such purpose and the railroad company concerned shall be liable for the expense of the same to be collected in a civil suit brought by the state against said railroad company.

It shall be unlawful for any logging locomotive to operate through a hazardous fire area, consisting of unburned slashings, during any period of fire weather unless the movements of such locomotives are followed by a speeder or other patrol. Where speeder patrol is used, such speeder shall be equipped with two (2) shovels, one (1) axe and a one (1) five (5) gallon hand tank pump filled with water.

Every person violating the provisions of this section shall upon conviction be punished by a fine of not less than twenty-five dollars (\$25), nor more than seventy-five dollars (\$75) and the judgment of the court, in case of conviction, shall prohibit such person from operating such train, railroad locomotive, logging locomotive or other engine or boiler until the requirements of this section have been complied with. Penalty.

SEC. 2. That section 5806, Remington's Revised Statutes, be and it is hereby amended to read as follows: Amends
§ 5806 Rem.
Rev. Stat.
(§ 2581 P. C.)

Section 5806. Any fire on any forest land in the State of Washington burning uncontrolled and without proper precaution being taken to prevent its spread is hereby declared a public nuisance by reason of its menace to life or property. Any person, firm or corporation responsible for either the starting or the existence of such fire is hereby required to control or extinguish it immediately, without awaiting instructions from a forest officer, and if said responsible person, firm or corporation shall refuse, neglect or fail to do so, the supervisor of forestry or any fire warden or forest ranger acting with his authority, may summarily abate the nuisance thus constituted by controlling or extinguishing the fire and Uncontrolled
forest fire a
public
nuisance.

Expense of
abatement.

Lien on
offender's
property.

the cost thereof may be recovered from said responsible person, firm or corporation by action for debt and, if the work is performed on the property of the offender, shall also constitute a lien upon said property. Such lien may be filed by the supervisor of forestry in the office of the county auditor and foreclosed in the manner provided by law for the foreclosure of liens for labor and material. It shall be the duty of the prosecuting attorney for the county to bring such action for debt, or to foreclose such lien, upon the request of the supervisor of forestry.

Logging
operations,
fires.

When a fire occurs in a logging operation, such fire shall be fought to the full limit of available employees, as may be necessary, and such fire fighting shall be continued with the necessary crews in such numbers as are, in the opinion of the state forester, or his authorized deputies, sufficient to bring such fire to a patrol basis, and such fire shall not be left without such fire fighting crew or fire patrol until authority so to do has been granted in writing by the supervisor of forestry, or his authorized deputies.

Closure.

SEC. 3. When in the opinion of the supervisor of forestry, or his authorized deputies, weather conditions arise which present an extreme fire hazard, whereby life and property may be endangered by spreading forest fires, the supervisor of forestry, or his authorized deputies, may issue, or cause to be issued, an order closing such logging, land clearing, or other industrial operations which may cause a forest fire to start, and such closure shall be for the period, or periods, and regions, designated in the aforesaid order.

Penalty.

Any one violating the provisions of this section shall upon conviction thereof, be punished by a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) for each and every violation, or by imprisonment of not less than thirty (30) days

in the county jail. Each day's violations shall constitute a separate offense.

Passed the House March 6, 1937.

Passed the Senate March 9, 1937.

Approved by the Governor March 15, 1937.

CHAPTER 153.

[H. B. 405.]

INTOXICATING LIQUOR: RETAIL LICENSEE QUALIFICATIONS.

AN ACT relating to intoxicating liquor; prescribing the powers and duties of the Washington State Liquor Control Board in connection with the issuance of retail licenses; and declaring an emergency.

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

SECTION 1. The Washington State Liquor Control Board may, in its descretion, grant such retail licenses as are otherwise provided for by law to any person who has resided in the State of Washington for a period of one month, and is otherwise qualified and eligible to receive such license. Retail licenses.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately. Effective immediately

Passed the House March 5, 1937.

Passed the Senate March 9, 1937.

Approved by the Governor March 15, 1937.