

CHAPTER 248.

[S. H. B. 222.]

VEGETABLE SEED PLANTS.

AN ACT relating to vegetable seed plants; providing for the prevention of cross-pollination of vegetable seed plants by the creation of seed control areas; defining terms, prescribing the powers and duties of certain officers; and providing for certain permits.

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

SECTION 1. The Director of Agriculture, through the State Division of Horticulture and the various county offices of the Department of Horticulture, is hereby authorized and directed to apply such measures and methods as may be necessary to carry out the provisions of this act for the purpose of preventing cross-pollination of vegetable seed plants where such threatens to be destructive to agricultural or horticultural pursuits within the State of Washington.

Director of Agriculture to enforce act.

SEC. 2. The Director of Agriculture and Supervisor of Horticulture are authorized to cooperate, with the counties of the State of Washington, the State College of Washington, the Washington Agricultural Experiment Station and the Western Washington Experiment Station, as well as with the Secretary of Agriculture of the United States of America, and such agencies as they may designate, to carry out the provisions of this act.

Cooperate with other agencies.

SEC. 3. In this act, unless the context otherwise requires:

Definitions.

(a) "Seed Control Areas" shall be such areas as hereinafter provided to be described by order of the State Director of Agriculture;

(b) "Seed Grower" shall be any individual engaged in agricultural or horticultural pursuits, who is, at the time of the signing of any petition herein

provided or at the time of voting on any proposition as herein provided, growing vegetable seed crops, or who has grown the same within one year prior to the date of determination;

(c) "Seed Contractor" shall be any individual, copartnership, corporation, association, or cooperative licensed by the State of Washington, and operating under its laws, to contract the growing of vegetables seeds;

(d) "Seed Families" shall be any seed crops, which by nature are recognized to be so similar that they will cross-pollinate.

SEC. 4. Upon the petition of not less than twenty-five (25) vegetable seed growers producing a seed crop of the same family, and not less than three (3) seed contractors, within a county, which said petition shall set forth the reasons therefor, the boundaries sought to be declared as a seed control area, and if such actions appear to be in the public interest, the State Director of Agriculture may order a notice of public hearing to be published in one or more newspapers, local to the areas interested, at least once each week for three (3) consecutive weeks prior to the date of a public hearing upon the petition. Upon such hearing being had, any vegetable seed grower producing a crop of the same seed family as designated in the petition and seed contractor operating in the county in which the petition originated, may be heard relative to any evidence he wishes to present regarding action upon the petition. Thereafter the Director of Agriculture may order any area within any such county petitioned declared to be a seed control area.

SEC. 5. From and after the date of the declaration of any area as a seed control area, no vegetable seed grower or other person shall be allowed to plant, cultivate or harvest or contract for any vegetable seed within the said area except upon permit first

Petition for seed control area shall state reasons and boundaries.

Notice of hearing.

Order after hearing.

Permit required in control area.

being granted by the county horticulturist of the county in which such seeds are harvested. Such permit shall be granted where, in the judgment of the county horticulturist, such would not result in cross-pollination, and it shall be the duty of the grower to produce such evidence as is necessary for a determination of the matter to the office of the county horticulturist.

County horticulturist to issue.

SEC. 6. Upon any area being declared a seed control area, it shall remain such until ordered canceled by the State Director of Agriculture, at such time as he shall deem it to be in the best public interest.

Control continues until canceled by Director.

Passed the House March 2, 1943.

Passed the Senate March 9, 1943.

Approved by the Governor March 22, 1943.

CHAPTER 249.

[H. B. 223.]

COUNTY TREASURERS.

AN ACT requiring County Treasurers to take oath and give bond, amending section 2739, Code of Washington Territory, 1881 (section 4107, Remington's Revised Statutes), and declaring an emergency.

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

SECTION 1. Section 2739, Code of Washington Territory, 1881, (section 4107, Remington's Revised Statutes) is hereby amended to read as follows:

Amendments.

Section 2739. The County Treasurer, before he enters on the duties of his office, shall take an oath faithfully to discharge the duties of his office as prescribed by law; he shall also, before he shall enter upon the duties of his office, give a bond to the county, with at least two sureties, residing in the county, in a penal sum of not less than double the amount of funds liable to come into the hands of

Treasurer to take oath.

Give bond.