

CHAPTER 120.

[H. B. 283.]

AGRICULTURE—CONTROL OF PESTS.

AN Act relating to agriculture; authorizing the Director of Agriculture to prescribe and enforce rules and regulations relating to the use of materials lethal to bees and livestock; providing for the licensing of those engaged for hire in the business of eradicating or controlling pests; prescribing penalties for violations; and declaring an emergency.

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

SECTION 1. It is hereby recognized that insect pollinators are essential in the production of fruit, seed and other agricultural crops and that the destruction of these pollinating insects and bees in the past by the indiscriminate use and application of toxic insecticides for the control of pests has materially decreased fruit, seed, and other agricultural production in this state, and on account of these facts it is now declared to be the policy of and for the benefit of the state and its people to protect these natural pollinators by control methods. Purpose.

SEC. 2. The Director of Agriculture shall have power, and it shall be his duty:

(a) To exercise supervisory and directory control over the use of insecticides which are lethal to pollinating insects, bees and livestock when said insecticides are applied by commercial sprayers or dusters as defined in sub-section (e) of this section. Power of Director of Agriculture to control pests.

(b) Upon the request of ten or more interested persons in any county to hold a hearing in the county on the matter of issuing regulations hereunder: *Provided, however,* That he shall give notice of such hearing by publication in a newspaper in the county to be selected by him, for two successive weekly publications, the first of which shall be published at least ten (10) days prior to such hearing.

(c) To give all interested parties an opportunity to be heard and to present proposed regulations.

(d) After a hearing has been had, as herein provided, to make and enforce such regulations as may be necessary to protect pollinating insects, bees and livestock from injury by the use of lethal dust and sprays.

Powers to control pests.

(e) To require those commercially engaged for hire in the business of eradicating and controlling pests by the use of material lethal to bees and livestock to secure a license from the Director of Agriculture and to pay an annual fee not exceeding ten dollars (\$10) therefor. Each such license shall expire on December 31st following its date of issue unless sooner revoked for cause. One shall be deemed to be commercially engaged in such business, for the purposes of this act, if he sprays or dusts more than three (3) tracts of land besides his own.

(f) The Director of Agriculture may cancel or suspend any such license if he finds, after proper investigation, that the licensee has violated any provisions of this act or any lawful regulation which he may make. Such license shall not be transferable.

SEC. 3. All moneys collected under the provisions of this act shall be paid to the Director of Agriculture for use exclusively in the enforcement of this act.

Penalty.

SEC. 4. The violation of this act or any lawful regulation made in accordance herewith by the Director of Agriculture is hereby declared to be a misdemeanor.

Effective immediately.

SEC. 5. This act is necessary for the preservation of the peace, health and safety of this state, the support of the state government and its existing institutions, and shall take effect immediately.

Passed the House March 7, 1945.

Passed the Senate March 7, 1945.

Approved by the Governor March 15, 1945.