

same opinion he shall forthwith give the corporation a statement to that effect, which shall be signed by the supervisor of banking or the deputy supervisor of banking, and thenceforward such statement shall be conclusive proof that the securities therein described comply in all respects with the above provisions. If, in the opinion of the person conducting the examination, the data furnished him by the corporation is insufficient to enable him to form an opinion as to whether or not any security complies with the above requirements he shall so notify the corporation and further notify it that it shall obtain the requisite data within a reasonable time from such notification and forward it to the supervisor of banking.

Statement of
supervisor.

Data
insufficient.

Passed the House March 13, 1929.

Passed the Senate March 11, 1929.

Approved by the Governor March 22, 1929.

CHAPTER 207.

[H. B. 355.]

FOREST WASTE MATERIAL.

AN ACT relating to waste forest material, disposal and burning thereof and the issuance of permits and certificates in connection therewith, and amending Sections 5788-1 and 5792-1 of Remington's Compiled Statutes, Supplement of 1927, and Section 5789 of Remington's Compiled Statutes.

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

SECTION 1. That section 5788-1 of Remington's Compiled Statutes, Supplement of 1927, as added by chapter 223 of the Laws of 1927, be amended to read as follows:

Amends
§ 5788-1,
Rem. Comp.
Stat., 1927
Sup.

Section 5788-1. Anyone desiring to dispose of the refuse or waste forest material resulting from logging, clearing, or other operation on forest lands,

Burning during closed season.

Application.

Inspection by warden or ranger.

Permit.

Care of a careful and prudent man.

Amends § 5792-1, Rem. Comp. Stat., 1927 Sup.

Fire hazard.

by burning during the closed season, may make written application to the state supervisor of forestry, or to any duly appointed and authorized warden or ranger, for a permit so to do. Every such application shall state the location and extent of the area sought to be burned over, and by whom the burning is to be done. Upon receipt of any such application the state supervisor of forestry shall inspect, or shall cause to be inspected by a warden or ranger, the area described in the application and no permit shall be issued until after such inspection, and until the party making the inspection is satisfied as a result thereof that all requirements of law and of the rules and regulations prescribed by the director of the department of conservation and development relating to fire fighting equipment and the work to be done or precautions to be taken before commencing such burning, applicable to the particular area described in the application for the permit, shall have been complied with.

Any permit issued upon such an application and after such inspection, shall be effective only for the time or period stated, but with respect to any fires started by the permittee within such period, shall be conclusive evidence of the compliance by the permittee with all laws, rules and regulations, except as shall be noted or endorsed upon the permit when issued. The compliance with the terms of the permit and all laws, rules and regulations governing the issuance of such permit shall constitute, and be deemed the exercise of the care of a prudent and careful man with respect to the starting and control of such fire.

SEC. 2. That section 5792-1 of Remington's Compiled Statutes, Supplement of 1927, as added by chapter 223 of the Laws of 1927, be amended to read as follows:

Section 5792-1. Whenever any fire hazard shall exist, or shall have been created by any logging or

clearing operations, and whether the state supervisor of forestry shall have declared the same to be a fire hazard or not, and an effort shall have been made to remove or abate such fire hazard, an application may be made to the supervisor of forestry for a certificate of clearance.

Certificate of clearance.

As soon as practicable after the receipt of such written request said state supervisor shall cause the burned over area to be carefully inspected, and if it is found that the said waste and debris has been properly disposed of or the fire hazard abated, the said supervisor shall issue a certificate of clearance in duplicate, one copy to be delivered to the applicant, and one copy to be retained in the records of his office. Each such certificate of clearance shall describe the slashing, chopping or other area on which the waste or other debris or fire hazard has been satisfactorily disposed of with reasonable accuracy, by subdivision, section, township and range, shall give the approximate acreage of the area to which the certificate applies, shall name the person, firm or corporation which created such slashing, chopping, waste material or fire hazard if known, and name the person, firm or corporation by whom such burning was done, shall give the date on which such area was inspected and the name of the person making the inspection, and shall certify that in the opinion of the said inspector such waste forest material or debris has been properly disposed of and the fire hazard abated. Such certificate of clearance may be issued for any fraction or part of the area inspected when the inspector finds that only such fraction or part meets the requirements of satisfactory and legal disposition of such waste material or debris and of the abatement of such fire hazard.

Inspection of burned area.

Contents of certificate of clearance.

Whenever the state supervisor of forestry shall determine that the burning of any area will result in the destruction of seed trees and second growth

Destruction of seed trees and second growth.

and will be detrimental to the growth of a new forest crop, and that burning such area will create a greater fire hazard than already exists, he may issue a certificate of clearance for such areas.

All such certificates of clearance shall be conclusive evidence of the satisfactory and legal disposition and abatement of the waste material and debris and the fire hazard created thereby to the extent in such certificate set forth; but any such certificate may be cancelled or set aside by the state supervisor of forestry for fraud or collusion in the procuring for issuance thereof.

Certificate
conclusive
evidence.

Cancellation
of certificate.

Amends
§ 5789, Rem.
Comp. Stat.

SEC. 3. That section 5789 of Remington's Compiled Statutes be amended to read as follows:

Section 5789. No one shall burn any forest material or the waste or debris resulting from logging or land clearing operations until such work shall have been done in and around the slashing or chopping and/or the area proposed to be burned over to prevent the spread of fire therefrom as shall be required to be done by the state supervisor of forestry, or any warden or ranger. The said supervisor or any warden or ranger may require the cutting of such dry snags, stumps and dead trees within the area to be burned, which in his judgment constitute a menace or are likely to further the spread of fire therefrom.

Work
around
area to be
burned.

Snags,
stumps,
dead trees.

Man to
supervise
burning.

When any person shall have obtained permission from the said supervisor, warden or ranger, to burn any slashings made for the purpose of clearing land, the warden may, at his discretion, furnish him with a man to supervise and control the burning, who shall represent and act for such warden, and shall have all the power and authority of a warden while engaged in such service, including the right to revoke such permit, if in his opinion the burning authorized would endanger any valuable timber or other property. Such a man shall serve only until

such time as the party burning may be able to keep the fire under control himself.

The said supervisor and wardens are hereby authorized and empowered to employ a sufficient number of men to extinguish or prevent the spreading of any fires that may be in danger of destroying any valuable timber or other property of the state. The said supervisor, or any warden by special authority of the said supervisor, may provide needed tools and supplies, and transportation when necessary for men so employed.

Employment of men to prevent spreading of fire.

Tools and supplies.

Every man so employed, and also the representative of the warden supervising the burning, shall be entitled to compensation at a rate to be fixed by the director of the department of conservation and development, and the warden shall issue a certificate to each man so employed showing the number of hours worked by him and the amounts due to him, upon which, after approval by said supervisor, the men shall be entitled to receive payment from the state in the manner provided for in section 5783.

Compensation of men employed.

Any person refusing to render assistance when called upon by any warden, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00).

Refusing assistance, misdemeanor.

Passed the House March 13, 1929.

Passed the Senate March 12, 1929.

Approved by the Governor March 22, 1929.