

where flour, white bread or rolls are manufactured, processed, packed, sold or held, or any vehicle being used for the transportation thereof, and to inspect any such place or vehicle and any flour, white bread or rolls therein, and all pertinent equipment, materials, containers and labeling.

Penalty.

SEC. 9. Any person who violates any of the provisions of this act or the orders, rules or regulations promulgated by the Director under authority thereof, shall upon conviction thereof be subjected to fine for each and every offense, in a sum not exceeding one thousand dollars (\$1,000), or to imprisonment, not to exceed ninety (90) days.

SEC. 10. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

Passed the Senate February 15, 1945.

Passed the House March 7, 1945.

Approved by the Governor March 15, 1945.

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## CHAPTER 193.

[ S. S. B. 158. ]

### HARVESTING OF FOREST PRODUCTS.

AN ACT relating to forestry; prescribing practices to be observed in the harvesting of forest products which will tend to insure future growth; providing for the enforcement thereof; and imposing penalties.

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

Policy.

SECTION 1. Keeping the forest land of this state continuously and fully productive is one of the most important steps toward perpetuation and conservation of its forest resources. One of the most important means of effectuating such public policy is to keep timber lands productive by seeking to maintain continuous growth of timber on all lands suit-

able for such purposes, and in order to accomplish this end it is necessary, and in the public interest, to prescribe certain rules of forest practices to be observed in the harvesting of timber.

SEC. 2. When used in this act:

1. The term "Forester" shall mean the State Forester. Supervisor of Forestry.

2. The term "owner" shall mean the owner of Owner. any forest land.

3. The term "adequate restocking" shall mean Restocking. a stand of not less than three hundred (300) established live seedlings per acre of which at least one hundred (100) shall be well distributed, or not less than three hundred (300) surviving trees per acre which were established by artificial means.

4. The term "merchantable stand of timber" Merchantable stand of timber. shall mean any stand of timber consisting of not less than three thousand (3,000) board feet per acre of currently merchantable live timber as measured by the Scribner Decimal C log rule.

5. The term "operator" shall mean any person, Operator. firm or corporation which engages in logging of timber for commercial purposes from any land within the State of Washington.

SEC. 3. Any bona fide owner or operator of land Permit. in the State of Washington, supporting a merchantable stand of timber, to be logged during the current calendar year must first obtain a written permit from the Forester.

To obtain such a permit, the owner must make Application. written application to the Forester submitting a map showing the area to be logged, legal description, and acreage.

Each permit shall be signed by the owner or Contents. operator, and shall set forth the provisions of this act as to the responsibility of the owner or operator, and shall further state that the owner or operator is familiar with its provisions and agrees to abide

thereby. All permits shall expire at the end of each calendar year but shall be renewable for another year upon written application of the owner or operator: *Provided*, That there has been no violation of this act or rules and regulations of the department.

Reserve  
trees.

SEC. 4. Every owner or operator shall provide that during the process of logging adequate precautions shall be taken to leave reserve trees of commercial species deemed adequate under normal conditions to maintain continuous forest growth, or provide adequate restocking to insure future forest production. In the conduct of logging operations and prior to and during slash disposal as required by chapter 53, Laws of 1939, proper precautions shall be taken and every reasonable effort made by the operator to protect residual stands and trees left uncut as a source of seed supply, from destruction by fire or unnecessary damage resulting from logging operations.

East of  
Cascades  
require-  
ments.

SEC. 5. The provisions of this act shall be deemed to have been complied with in the area east of the summit of the Cascade Mountains within the State of Washington if at time of issuance of a certificate of clearance by the Forester in accordance with chapter 140, Laws of 1941, there shall have been reserved and left uncut all immature Ponderosa pine trees less than sixteen (16) inches in diameter breast high outside the bark. Except where compliance with this section would not leave sufficient seed trees of commercial species to restock the land, there shall be left seed trees of commercial species twelve (12) inches or larger breast high in the ratio of four (4) thrifty trees per acre well distributed over the area cut.

SEC. 6. The provisions of this act shall be deemed to have been complied with in the area west of the summit of the Cascade Mountains, if at time of

issuance of a certificate of clearance by the Forester in accordance with chapter 140, Laws of 1941, there shall have been reserved and left uncut not less than five per cent (5%) of each quarter section (160 acres) well stocked with commercial coniferous trees not less than sixteen (16) inches in diameter breast high outside the bark until such time as the area is adequately stocked by natural means. The foregoing may be accomplished by leaving marginal long corners of timber between logged areas, or strips of timber across valleys, or along ridges and natural fire breaks, or leaving staggered settings and uncut settings.

West of  
Cascades  
require-  
ments.

SEC. 7. In the event that any owner or operator shall desire to adopt other practical methods than those contained in sections 5 and 6 hereof for providing for future forest growth within the meaning of section 4 hereof, including but not limited to artificial restocking or partial or selective cutting of the entire stand, said methods may be substituted in lieu of the provisions of section 5 and 6 hereof, if approved by the Forester. Said plans shall be filed with the Forester previous to application for permit.

Alternative  
plans.

SEC. 8. The Forester shall have the power to employ a sufficient number of technically trained foresters as inspectors to enable him to maintain an inspection service deemed adequate to secure compliance with the provisions of this act. In the event that an owner or operator shall fail, refuse or neglect or [to] comply with the provisions of this act, the Forester shall be empowered to order the particular operation, as to which the provisions of this act are not being complied with, discontinued until the owner or operator has given satisfactory assurance that he will resume operations in compliance with the provisions of this act and furnish cash deposit or bond in lieu thereof as set by the Forester but not to exceed eight dollars (\$8) per acre for that

Inspectors.

Bond.

portion of the area which through his failure to carry out the provisions of this act does not have sufficient source of seed to adequately restock the area. Such cash deposit or bond shall be furnished to insure that the owner or operator will artificially restock the area for which the money was collected, within two (2) years. In the event that at the end of said two (2) years the owner or operator has not artificially restocked the area, or this area has not become adequately restocked, the cash deposit shall be forfeited, or if the owner has posted bond in lieu of making cash deposit he shall within thirty (30) days after notification in writing by the Forester furnish the amount of money for which he has posted bond. The Forester shall place this money in a special deposit fund of the State Treasury for artificially restocking the land on which the deposit was withheld. The Forester shall artificially restock the area within two (2) years after said deposit has been forfeited, using the money in the special deposit fund collected from the owner for that purpose. Until compliance is so assured, the Forester shall also have power to prevent any new operation or operations in this state by the delinquent operator.

Deposit  
fund.

Exempted  
operations.

SEC. 9. The provisions of this act shall not be applicable where, upon application to the State Forester, he has in writing permitted the removal of trees. Such permits shall be issued where removal is sought for any of the following purposes:

(a) To benefit the general health and increase the annual growth of residual stands of timber or for the purpose of removing dying or diseased trees.

(b) To clear the land upon which said trees are situated for bona fide agricultural, mining, business or residential purposes.

(c) To clear rights of way, landings, campsites or firebreaks.

SEC. 10. This act shall take effect January 1, 1946. Effective date.

Passed the Senate February 28, 1945.

Passed the House March 7, 1945.

Approved by the Governor March 15, 1945.

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## CHAPTER 194.

[ S. B. 96. ]

### ELECTIONS—HOLDING OF PRIMARY, GENERAL AND SPECIAL ELECTIONS.

AN ACT relating to elections and voting in counties of the second to ninth classes, inclusive; consolidating city, town and district elections held therein; providing for the calling and holding of primary, general and special elections and the manner of conducting the same; conforming terms of officers to revised election dates; enlarging authority of all County Election Boards by amending section 5, chapter 61, Laws of 1921, as last amended by section 1, chapter 180, Laws of 1941 (section 5147, Remington's Revised Statutes, also Pierce's Perpetual Code 522-9); and repealing all acts or parts of acts in conflict therewith.

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

SECTION 1. All city, town and water district elections, whether general or special, and whether for the election of municipal or district officers or for the submission to the voters of any city, town or district of any question for their adoption and approval, or rejection, shall be held in all counties of the second to ninth classes, inclusive, on the Tuesday following the first Monday of November, 1945, and thereafter in the year in which they may be called: *Provided*, That this section shall not be construed as fixing the time of holding elections for the recall of city, town or district officers. City election dates.

SEC. 2. Primary elections for the nomination of candidates to be elected at such November general elections shall, in all cases where such nominations