

CHAPTER 261.

[ H. B. 349. ]

INSECT, PEST, WEED AND DISEASE CONTROL—  
SPRAYERS AND DUSTERS.

AN ACT relating to chemicals or chemically treated materials used for the control of insects, pests, weeds or diseases; requiring licenses; prescribing powers and duties of the director of agriculture; amending sections 17.20.010 to 17.20.040, RCW, inclusive; and declaring an emergency.

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

SECTION 1. Section 17.20.010, RCW, as derived from section 2, chapter 120, Laws of 1945, as last amended by section 1, chapter 61, Laws of 1951, is amended to read as follows: Amendment.

As used in this chapter:

“Director” means the director of agriculture;

Definitions.

“Director.”

“Commercial applicator” is one who applies chemicals or chemically treated materials for the control of insects, pests, weeds or diseases to lands or crops other than his own.

“Commercial applicator.”

SEC. 2. Section 17.20.020, RCW, as derived from section 2, chapter 120, Laws of 1945, as last amended by section 2, chapter 61, Laws of 1951, is amended to read as follows: Amendment.

The director shall:

(1) Have the enforcement of this chapter;

Powers and duties of director.

(2) Control the use of chemicals or chemically treated materials used for the control of insects, pests, weeds or diseases which are lethal or injurious to pollinating insects, bees, crops, lands and livestock;

(3) Prescribe and enforce such reasonable regulations which he shall deem necessary to protect pollinating insects, bees, crops, lands and livestock from the use of chemicals or chemically treated materials for the control of insects, pests, weeds or diseases;

(4) Define areas within which chemicals or chemically treated materials for the control of insects, pests, weeds or diseases, or any of them, may not be used;

(5) Prescribe and enforce reasonable regulations applicable to and restricting the use of chemicals or chemically treated materials for the control of insects, pests, weeds or diseases by either commercial applicators or other applicators, or both which the director determines after a hearing to be an area in which the use or application of a particular chemical for the control of insects, pests, weeds or diseases to lands or crops would endanger the crops, lands or animals of others. The director may in such regulations restrict the use of such materials in any particular designated area to applicators who file with the county agent or other person designated by the director a statement on forms provided stating the method of application, place of application, date the application of chemicals or chemically treated materials will be made and any other information the director may require which will better enable those who might be damaged by such application to determine and show the source of damage. If the application of chemicals or other chemically treated materials is not made at the time stated in the statement required to be filed, a declaration to that effect may be filed with the county agent or other designated person within thirty-six hours after the date of intended application, and in the absence of the filing of a declaration within the thirty-six hour period that the material was not applied on the date originally stated it will be presumed the application was made on the date of intended application.

**Amendment.**

SEC. 3. Section 17.20.030, RCW, as derived from section 2, chapter 120, Laws of 1945, as last amended by section 3, chapter 61, Laws of 1951, is amended to read as follows:

The director shall hold such hearings in any area as he shall deem necessary. Any county agent or ten or more interested persons in any area within a county or two or more counties, may request the director to issue special regulations applicable only to such area. The director shall give notice of the hearing by publication in a newspaper in the county or counties in which the area is situated for two successive weekly issues, the first of which shall be at least ten days before the hearing.

Hearings.

Request for  
area  
regulations.

Notice.

At the hearing all interested persons shall be heard. The director may then make and promulgate such reasonable regulations applicable only to such county, counties or area as he shall deem necessary to protect pollinating insects, bees, crops, lands and livestock from injury from the use of chemicals or chemically treated materials for the control of insects, pests, weeds or diseases.

Promulga-  
tion of area  
regulations.

SEC. 4. Section 17.20.040, RCW, as derived from section 2, chapter 120, Laws of 1945, as last amended by section 4, chapter 61, Laws of 1951, is amended to read as follows:

Amendment.

Commercial applicators shall procure from the director an annual license, and pay therefor a fee of not more than twenty dollars, the proceeds of which shall be used exclusively for the enforcement of this chapter.

Commercial  
applicator's  
license; fee.

Licenses shall expire on December 31st following issuance, unless sooner revoked for cause, and shall not be transferable. The director may refuse to issue a license if the applicant does not have equipment capable of applying chemicals or chemically treated materials without injuring the crops, lands, bees or livestock of others: *Provided*, That applicators who, in the discretion of the director, engage in applying chemicals or chemically treated materials for the control of insects, pests, weeds or diseases to lands or crops, infrequently or in nonsubstantial amounts

Expiration.

for others, shall not be considered commercial applicators.

Emergency.

SEC. 5. This act is necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately.

Passed the House March 1, 1953.

Passed the Senate March 10, 1953.

Approved by the Governor March 21, 1953.

---

CHAPTER 262.

[ H. B. 358. ]

WASHINGTON STATE PATROL RETIREMENT SYSTEM.

AN ACT relating to retirement of state patrol members and amending sections 43.43.120, 43.43.130 and 43.43.230, RCW, and declaring an emergency.

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

Amendment.

SECTION 1. Section 43.43.120, RCW, as derived from section 1, chapter 250, Laws of 1947, as last amended by section 1, chapter 140, Laws of 1951, is amended to read as follows:

As used in the following sections:

"Retirement system."

(1) "Retirement system" means the Washington state patrol retirement system.

"Retirement fund."

(2) "Retirement fund" means the Washington state patrol retirement fund.

"State treasurer."

(3) "State treasurer" means the treasurer of the state of Washington.

"Member."

(4) "Member" means any person included in the membership of the retirement fund.

"Employee."

(5) "Employee" means any commissioned employee of the Washington state patrol.

"Beneficiary."

(6) "Beneficiary" means any person in receipt of retirement allowance or any other benefit allowed by this chapter.