

CHAPTER 163.

[S. B. 219.]

HORTICULTURE.

AN ACT relating to horticulture, establishing a horticultural inspection trust fund and horticultural inspection districts, adding new sections to chapters 15.04 and 15.16 RCW, and amending section 1, chapter 89, Laws of 1949, section 1, chapter 193, Laws of 1949 and RCW 15.04.040, 15.04.060, 15.04.070, 15.04.080, 15.08.280, 15.16.040, 15.16.050, 15.16.060 and 15.16.070.

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

New section.

SECTION 1. There is added to chapter 15.04 RCW, a new section to read as follows:

Horticultural inspection trust fund—Authorized payments from.

The director shall establish a horticultural inspection trust fund to be derived from horticultural inspection district funds. The director shall adjust district payments so that the balance in the trust fund shall not exceed seventy-five thousand dollars. The director is authorized to make payments from the trust fund to:

(1) Pay fees and expenses provided in the inspection agreement between the State Department of Agriculture and the Agricultural Marketing Service of the United States Department of Agriculture;

(2) Pay portions of salaries of inspectors-at-large as provided under RCW 15.04.040;

(3) Assist horticultural inspection districts in temporary financial distress as result of less than normal production of horticultural commodities. Districts receiving such assistance shall make repayment to the trust fund as district funds shall permit without an increase in the schedule of inspection fees for that purpose.

Division and amendment.

SEC. 2. Section 1, chapter 89, Laws of 1949 (heretofore divided and codified as RCW 15.04.040, 15.04-

.060, 15.04.070, 15.04.080) is divided and amended as set forth in sections 3, 4, 5 and 6 of this act.

SEC. 3. (RCW 15.04.040) Inspectors-at-large shall pass such an examination by the director as will satisfy him they are qualified in knowledge and experience to carry on the work in the districts to which they are assigned. They shall be assigned to a horticultural inspection district and may be transferred from one district to another. Their salaries and necessary traveling expenses, as shown by vouchers verified by them and countersigned by the director, shall be paid by warrants drawn upon the state treasurer, horticultural inspection district funds, the horticultural inspection trust fund, or from county appropriations: *Provided*, That, not less than twenty-five percent of their total salary shall be paid by warrants drawn upon the state treasurer.

RCW 15.04.040 amended. Inspectors-at-large—Qualifications—Duties—Compensation.

Proviso.

SEC. 4. (RCW 15.04.060) Whenever twenty-five or more resident freeholders of any county, each of whom is the owner of an orchard, berry farm, cultivated cranberry marsh or nursery, present a petition to the board of commissioners stating that certain horticultural premises in the county are infected and the petitioners desire the help of inspectors in combating the infection, the board shall by resolution request the director to appoint and assign to that county such a number of local horticultural inspectors for such time as the petition specifies.

RCW 15.04.060 enacted without amendment.

SEC. 5. (RCW 15.04.070) Said local inspectors shall satisfy the director, by examination, that their knowledge and experience qualifies them to successfully perform horticultural inspection work. Their salaries, as fixed by the board, and actual and necessary traveling expenses shall be paid from the county current expense fund on vouchers verified by them, approved by the director and ordered paid

RCW 15.04.070 enacted without amendment.

by the board. All local inspectors are under the direction and control of the director and supervisor.

RCW 15.04.080
enacted
without
amendment.

SEC. 6. (RCW 15.04.080) If any county fails to appoint a county horticultural inspector, or he is not available, the nearest available inspector may perform the services, and his compensation and necessary expenses shall be charged against said county.

If any inspector is dismissed from the service, or is assigned to another county or other duties, any qualified inspector or officer of the department may continue or complete any work initiated by him.

Division and
amendment.

SEC. 7. Section 1, chapter 193, Laws of 1949 (heretofore divided and codified as RCW 15.08.280, 15.16.040, 15.16.050, 15.16.060 and 15.16.070) is divided and amended as set forth in sections 8, 9, 10, 11 and 12 of this act.

RCW 15.08.280
enacted
without
amendment.

SEC. 8. (RCW 15.08.280) The director shall designate one horticulturist from the department of agriculture, the president of the University of Washington shall designate one horticulturist from the University of Washington, the president of Washington State College shall designate one horticulturist from Washington State College, some recognized journalist specializing in horticultural research and related subjects, who shall together constitute a board of experts to formulate a program of tent caterpillar (*malacosoma pluvialis*) eradication. The research of the board hereby created shall be conducted at the agricultural experiment station established at Puyallup, Washington.

RCW 15.16.040
enacted
without
amendment.

SEC. 9. (RCW 15.16.040) Upon application by a financially interested party for inspection and certification services on certain specified fruits, vegetables, nursery stock, or other horticultural products the director, supervisor, or inspectors-at-large may appoint a horticultural inspector who shall perform said services and certify to the shipper or interested parties the quality, grade and condition of the speci-

fied products and the cars in which they are loaded. Said services shall be made pursuant to rules and regulations adopted from time to time by the director and upon payment of such fees as he may determine will, as near as may be, cover the cost of the service.

SEC. 10. (RCW 15.16.050) The inspectors-at-large in charge of such inspections shall collect the fees therefor and deposit them in the horticultural district fund in a bank approved for the deposit of state funds and located in the city in which the district office is maintained. The inspectors-at-large shall expend fees deposited in the horticultural district fund to assist in defraying the expenses of inspections and they shall make payments from the horticultural district fund to the horticultural inspection trust fund as authorized by the director in accordance with section 1 of this act. Inspectors-at-large shall furnish bonds to the state in amounts set by the administrative board, with sureties approved by the director, conditioned upon the faithful handling of said funds for the purposes specified; and shall, on or before the tenth day of each month, render to the director a detailed account of the receipts and disbursements for the preceding month.

RCW 15.16.050
amended.
Standards,
grades, packs.
Collection and
use of fees—
Accounting—
Official bonds.

SEC. 11. (RCW 15.16.060) On the thirtieth day of June of each year the inspectors-at-large shall render to the commissioners of every county in which such service has been rendered in their districts, a complete account of the past year's business. Should there remain on hand in any horticultural district fund after all expenses of said services have been paid, amounts in excess of those in the following schedule, they shall be returned to the contributors to the fund in proportion to the amount each contributed: Schedule: Districts 2, 6 and 7, each, twenty-five thousand dollars; districts 1, 3, 8, 9

RCW 15.16.060
amended.
Annual
reports—
Refunds—
Schedule of
districts.

and 10, each, thirty thousand dollars; district 11, thirty-five thousand dollars; and districts 4 and 5, each, seventy-five thousand dollars.

RCW 15.16.070 amended. Standards, grades, packs. Failure to pay fees—Actions—Certificates as evidence.

SEC. 12. (RCW 15.16.070) Should the applicant for said services fail to pay the fee therefor within thirty days after the performance thereof, the prosecuting attorney of the county shall, at the request of the inspector-at-large, bring suit in the name of the inspector-at-large to collect the debt.

The certificate of inspection shall be admitted in all courts as prima facie evidence of the truth of the statements therein contained.

New section.

SEC. 13. There is added to chapter 15.16 RCW, a new section to read as follows:

Horticultural inspection districts—Supervisors.

For the purpose of this chapter the state shall be divided into the following horticultural inspection districts to which may be assigned one or more inspectors-at-large who shall supervise and administer regulatory and inspection affairs of the district.

District One:

Walla Walla, Columbia, Garfield, Asotin, Whitman

District Two:

Spokane, Lincoln, Stevens, Ferry, Pend Oreille

District Three:

Benton, Franklin, Adams

District Four:

Chelan, Grant, Southern portion of Douglas

District Five:

Yakima, Kittitas

District Six:

Klickitat, Spamania, Clark, Cowlitz, Wahkiakum

District Seven:

Lewis, Pacific, Thurston, Mason, Grays Harbor

District Eight:

Pierce, Kitsap, Jefferson, Clallam

District Nine:

King

District Ten:

Whatcom, Snohomish, San Juan, Skagit, Island

District Eleven:

Okanogan, Northern part of Douglas

The director shall establish those portions of district boundaries which do not follow county lines.

SEC. 14. This act shall take effect as of July 1, 1957. Effective date.

Passed the Senate March 11, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 164.

[S. B. 252.]

CIVIL SERVICE EMPLOYEES.

AN ACT preserving the status of civil service employees.

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

SECTION 1. Any civil service employee of the state of Washington or of any political subdivision thereof who is on leave of absence by reason of having been elected or appointed to an elective office shall be preserved in his civil service status, his seniority, rank and retirement rights so long as he regularly continues to make the usual contribution incident to the retention of such beneficial rights as if he were not on leave of absence: *Provided*, That such contributions being made shall be based on the rank at the time of taking such leave of absence.

Elected official may retain civil service status.

Proviso.

Passed the Senate March 4, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 21, 1957.