

be construed as in addition and supplemental to powers or authority conferred by any other law, and nothing contained herein shall be construed as limiting any other powers or authority of such municipalities.

Note: See also section 8, chapter 149, Laws of 1961.

SEC. 8. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Note: See also section 8, chapter 149, Laws of 1961.

SEC. 9. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Note: See also section 8, chapter 149, Laws of 1961.

Passed the House February 16, 1961.

Passed the Senate February 15, 1961.

Approved by the Governor February 21, 1961.

CHAPTER 40.

[H. B. 94.]

FOREST PRACTICES—BOND TO SECURE COMPLIANCE WITH LAW—RE STOCKING COSTS.

AN ACT relating to forest practices; authorizing the employment of inspectors; providing for powers of suspension of certain operations; increasing the amount of cash deposit or bond to assure compliance with forestry practices; creating a deposit fund; and amending section 8, chapter 193, Laws of 1945, as last amended by section 2, chapter 115, Laws of 1955 and RCW 76.08.080.

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

SECTION 1. Section 8, chapter 193, Laws of 1945, as last amended by section 2, chapter 115, Laws of

RCW 76.08.080
amended.

1955 and RCW 76.08.080, are each amended to read as follows:

The supervisor may 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 chapter. In the event that an owner or operator fails, refuses or neglects to comply with the provisions of this chapter, the supervisor may order the particular operation in which the violation occurs discontinued until the owner or operator gives satisfactory assurance that he will resume operations in compliance with the provisions of this chapter and furnishes cash deposit or bond in lieu thereof as fixed by the supervisor, on the basis of not to exceed twenty-four dollars per acre for that portion of the area which through his failure to carry out the provisions of this chapter does not have sufficient source of seed to adequately restock the area. Such order may be enforced by injunction proceedings. The 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 five years. If at the end of the five years the owner or operator has not artificially restocked the area, or the area has not become adequately restocked, the cash deposit shall be forfeited, or if the owner or operator has posted bond in lieu of making cash deposit he shall within thirty days after notification in writing by the supervisor furnish the amount of money for which he posted bond. The supervisor shall place this money in a special deposit fund of the state treasury to be used for artificially restocking the land on which the deposit was made. The supervisor shall artificially restock the area within two years after the deposit was forfeited, using the money in the special deposit fund collected from the owner for that purpose. In the event that the full

Forest
practices.
Enforcement—
Discontinu-
ance of operat-
ion—Deposit
of bond—
Penalty.

amount of money forfeited for any specified area is not required by the supervisor to restock the area, the unexpended balance shall be returned to the depositor. Until compliance is so assured, the supervisor shall also have power to prevent any new operation or operations in this state by the delinquent operator. If a violation occurs resulting from failure to provide adequate seed sources as provided in this chapter and a bond or cash deposit has not been furnished by the owner or operator and the area or any part thereof is not adequately restocked five years after cutting, then one year after written notice to the owner and operator to their last known address, and if such owner or operator has not adequately restocked the area, then it shall be restocked by the supervisor, however, the supervisor shall not expend more than twenty-four dollars per acre in restocking such areas. Expenses reasonably incurred by the supervisor in restocking the area may be recovered by the supervisor from the owner and/or operator and they shall constitute a lien upon the land restocked, which lien may be enforced in the same manner and with the same effect as a mechanics' lien.

Passed the House February 17, 1961.

Passed the Senate February 16, 1961.

Approved by the Governor February 21, 1961.