

Effective immediately.

SEC. 5. This act is necessary for the immediate preservation of the public peace, health and safety, and for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the House February 9, 1945.

Passed the Senate March 7, 1945.

Approved by the Governor March 15, 1945.

CHAPTER 102.

[ H. B. 186. ]

DISPOSAL OF WASTE FOREST MATERIAL.

AN ACT relating to waste forest material, providing for the application and issuance of certificates in connection therewith, and amending section 2, chapter 223, Laws of 1927, as last amended by section 1, chapter 140, Laws of 1941 (section 5792-1, Rem. Supp. 1941, also Pierce's Perpetual Code 575-47).

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

Amendment.

SECTION 1. Section 2, chapter 223, Laws of 1927, as last amended by section 1, chapter 140, Laws of 1941 (section 5792-1, Rem. Supp. 1941, also Pierce's Perpetual Code 575-47), is amended to read as follows:

Certificate of clearance.

Section 2. 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 whether or not an effort has been made to remove or abate such fire hazard, and [an] application may be made to the Supervisor of Forestry for a certificate of clearance.

As soon as practicable after the receipt of such written request said State Supervisor shall cause the 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, or the burning of such area would be detrimental to the production of a new forest crop, 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 disposal or abatement 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, or that burning of said area would be detrimental to the production of a new forest crop. 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.

Contents of  
certificate.

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 or will be detrimental to the growth of a new forest crop, or that burning such area will create a greater fire hazard than already exists, he may issue a certificate of clearance for such areas: *Provided*, That the owner of any said areas shall supply adequate fire protection as prescribed by the State Supervisor of Forestry: *Provided, further*, That should the

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owner elect not to supply the fire protection prescribed by the State Supervisor of Forestry, he may in lieu thereof pay to the State Division of Forestry, or an organized forest protection agency approved by the State Supervisor of Forestry, a sum not to exceed twenty-five cents (25¢) per acre per year for a period to be fixed by the Supervisor, not in any event, however, to exceed six (6) years, which money shall be used by the State Supervisor of Forestry or authorized protection agency to give added fire protection to the areas on which the certificate of clearance was issued and the money collected. Any money paid to the State Division of Forestry as herein provided shall be placed in a special forest protection fund from which it may be disbursed by the State Supervisor of Forestry for the purpose intended.

Certificate  
as evidence  
of disposal.

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, upon due notice served in writing, by the State Supervisor of Forestry, for fraud or collusion in the procuring or issuance thereof, or in the event of non-compliance with any provision or condition of said certificate of clearance.

Passed the House February 26, 1945.

Passed the Senate March 7, 1945.

Approved by the Governor March 15, 1945.