

CHAPTER 24.

[H. B. 17.]

FOREST PROTECTION AND PRESERVATION.

AN ACT relating to forests; repealing chapter 164, Laws of 1905 and chapter 114, Laws of 1903; and declaring an emergency.

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

SECTION 1. Chapter 164, Laws of 1905 and chapter 114, Laws of 1903 are each repealed. Repeal.

SEC. 2. 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. Emergency.

Passed the House January 20, 1959.

Passed the Senate January 27, 1959.

Approved by the Governor January 30, 1959.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.) Explanatory note.

The session laws herein proposed for repeal contain subject matter which is covered by chapter 125, Laws of 1911 codified in chapter 76.04 RCW as amended. The title of the 1911 law stated that sections 2 through 12 of the 1905 law were repealed; however, the text of the 1911 law contained only a general repealer rather than a specific schedule. Only one section of the 1905 act has been judicially construed and that was section 12 which was held to be impliedly repealed by the 1911 act in *State v. Herdricks*, 68 Wash. 670. The remainder of the 1905 act is in same category and was so regarded by the 1911 legislature. Section 1 of the act, not referred to in the 1911 title, created a forest board since abolished by subsequent enactments. The inclusion of the 1903 act in the repeal proposed herein is merely to bar any possibility of revival by the repeal of a repealing act since the 1905 act repealed the 1903 law.