

tions with respect to sex and minimum length of crabs.

It shall be unlawful for any person, firm or corporation to take, capture or remove from any of the waters of the State of Washington any crab by the use of a spear or other sharp instrument whereby the shell of any crab is broken or penetrated.

Prohibited devices.

Passed the House February 21, 1927.

Passed the Senate March 8, 1927.

Approved by the Governor March 19, 1927.

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## CHAPTER 299.

[H. B. 282.]

### FOOD AND SHELL FISH—POLLUTION OF WATERS.

AN ACT relating to the preservation, protection and perpetuation of food fishes and shellfish, prohibiting the pollution of waters, defining the duties of certain state officers in connection therewith and amending Section 5734, Remington's Compiled Statutes, as amended by Section 7, Chapter 90, Laws of 1923.

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

SECTION 1. That section 5734 of Remington's Compiled Statutes, as amended by section 7, chapter 90, Laws of 1923, be amended to read as follows:

Sec. 2490  
Pierce's  
Code.

Section 5734. It shall be unlawful to cast or pass, to suffer or permit to be cast or passed into any waters of this state, either fresh or salt, any sawdust, planer shavings, wood pulp or other waste, lime, gas, oil, oil products, grease, coculus indicus, or any chemical substance, except coal mine waste or drainage, in quantities sufficient in the judgment of the state fisheries board and the state board of health to injuriously affect, destroy or diminish the growth of the plankton, benthos or algae or the fish and shellfish inhabiting such waters or impair the

Polluting  
waters  
unlawful.

Investigation and report by health department.

May promulgate regulations.

Publication of rules.

Construction of regulations plead by title and number.

Permit for sawing of logs in waters.

supply thereof. It shall also be unlawful to cast or pass, to suffer or permit to be cast or passed into any waters of this state, either fresh or salt, any refuse or waste material, substance or matter at any time whatsoever which may be determined by the state board of fisheries to be deleterious to fish or shellfish. The state board of health shall cooperate with the state fisheries board in the making of its said determination. The state fisheries board shall have the right to call upon the department of health for such investigation and report as may be necessary from time to time concerning the effect upon aquatic life of various kinds of refuse and waste materials, substances or matters to the end that it may from time to time, as warranted by conditions, promulgate rules and regulations prohibiting the deposit in the waters of the state, either fresh or salt, of such refuse or waste materials, substances or matters as may be deleterious in their effect upon fish and shellfish. The rules and regulations shall be promulgated and published in the manner now or hereafter prescribed for the promulgation and publication of its rules and regulations relating to the taking of food fish and they shall constitute *prima facie* evidence that the refuse or waste materials, substances, or materials therein declared to be deleterious are in fact deleterious to fish and shellfish inhabiting the waters. In any action or proceeding involving the validity or construction of any such rule or regulation it shall be competent to plead the same by title and number and to prove the same by the introduction of a true and correct copy thereof, duly certified by the secretary of the state fisheries board. The director of fisheries and game, through the supervisor of fisheries, with the approval of the state fisheries board, shall have the power to grant permits for the sawing of logs in such waters as in

his judgment can be used for that purpose without injury to fish and shellfish. Before any industrial or manufacturing concern the construction and operation of whose plant will necessitate the dumping of refuse or waste materials, substances or matters into any waters of this state, either fresh or salt, shall proceed with construction and operation, it shall submit for the approval of the director of fisheries and game, through the supervisor of fisheries, and the director of health, detailed plans for the disposal of its refuse or waste materials, substances or matters, and if such plans do not in the judgment of the supervisor of fisheries and director of health make adequate and effective provision for safeguarding fish and shellfish in such waters, the said supervisor of fisheries and director of health shall disapprove the same and it shall be unlawful for the person, firm or corporation to proceed with the operation of its said plant until the plans are revised in such manner as to meet the objections of the supervisor of fisheries and director of health. Any person, firm or corporation feeling himself or itself aggrieved by any order or ruling of the supervisor of fisheries and the director of health disapproving the detailed plans for disposal of refuse or waste materials, substances or matters submitted by an industrial or manufacturing concern as above provided, shall have the right of appeal from such order or ruling to the superior court of the county in which the plant of such industrial or manufacturing concern is situated, in the manner provided by law for taking appeals from justices courts, and upon such appeal being taken and perfected, the same shall be set for hearing and heard by the judge of said court, *de novo* without a jury and at the conclusion of the hearing the judge shall enter an order approving the plans submitted, or modifying and approving such plans, or disapproving the same, as

Permit for  
manufac-  
tories to  
dump waste  
materials  
into waters.

Appeal  
from order.

Hearing.

may to the judge seem necessary for the protection of the public health and the fish and shellfish inhabiting the waters of this state.

Passed the House February 24, 1927.

Passed the Senate March 8, 1927.

Approved by the Governor March 19, 1927.

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## CHAPTER 300.

[H. B. 292.]

### INSURANCE CODE—GROUP LIFE INSURANCE.

AN ACT relating to insurance and amending Article III, Title XLV, of Remington's Compiled Statutes, by adding five new sections 7242-1, 7242-2, 7242-3, 7242-4 and 7242-5.

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

SECTION 1. That article III, title XLV of Remington's Compiled Statutes be amended by adding thereto five new sections to be known as sections 7242-1, 7242-2, 7242-3, 7242-4 and 7242-5.

Section 7242-1. Group life insurance is hereby declared to be that form of life insurance covering not less than twenty-five employees with or without medical examination, written under a policy issued to the employer, the premium on which is to be paid by the employer or by the employer and the employees jointly, and insuring only all of his employees, or all of any class or classes thereof determined by conditions pertaining to the employment, for amounts of insurance based upon some plan which will preclude individual selection, for the benefit of persons other than employer: *Provided, however,* That when the premium is to be paid by the employer and employees jointly and the benefits of the policy are offered to all eligible employees, not less than seventy-five per centum of such employees may be so insured.

Secs. 3131-1,  
3131-2,  
3131-3,  
3131-4,  
3131-5  
Pierce's  
Code.

Group life  
insurance on  
employees.

Premium  
payable by  
employer and  
employees.

Minimum  
must insure.