

place in a room where the savings account business of any such bank or trust company shall be transacted and shall be available to depositors upon request. All such rules and regulations and all amendments thereto from time to time in effect shall be binding upon all depositors. A passbook shall be issued to each savings account depositor, or a ledger record maintained, in lieu of a passbook when the depositor so requests in writing, covering such deposits, in which shall be entered each deposit by and each payment to such depositor, and no payment or checks against any savings account shall be made unless accompanied by and entered in the passbook issued therefor, except for good cause and assurance satisfactory to the corporation.

Passed the House February 19, 1959.

Passed the Senate March 4, 1959.

Approved by the Governor March 11, 1959.

CHAPTER 107.

[H. B. 292.]

LIVESTOCK MARKETING AND INSPECTION.

AN ACT relating to livestock; providing penalties; and repealing sections 1 through 4, chapter 187, Laws of 1947 as amended by sections 6 and 7, chapter 98, Laws of 1949 and RCW 16.64.010 through 16.64.040.

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

SECTION 1. For the purposes of this act:

(1) The term "public livestock market" means any place, establishment or facility commonly known as a "public livestock market", "livestock auction market", "livestock sales ring", yards selling on commission, or the like, conducted or operated for compensation or profit as a public livestock market,

Definitions.

"Public livestock market."

consisting of pens or other enclosures, and their appurtenances in which livestock is received, held, sold, kept for sale or shipment: *Provided*, That it does not include a farmer selling his own livestock on his own premises by auction or any other method, or a farmers cooperative association or an association of livestock breeders when any class of their own livestock is assembled and offered for sale at a special sale under such association's management and responsibility, and such special sale has been approved by the director in writing: *Provided*, That such special sale shall be subject to brand and health inspection requirements as herein provided for sales at public livestock markets.

"Department."

(2) "Department" means the department of agriculture of the state of Washington.

"Director."

(3) "Director" means the director of the department or his duly authorized representative.

"Licensee."

(4) "Licensee" means any person licensed under the provisions of this act.

"Livestock" includes.

(5) "Livestock" includes horses, mules, burros, cattle, sheep, swine, goats, poultry and rabbits.

"Person."

(6) "Person" means a natural person, individual, firm, partnership, corporation, company, society, and association, and every officer, agent or employee thereof. This term shall import either the singular or the plural as the case may be.

"Stockyard."

(7) "Stockyard" means any place, establishment, or facility commonly known as a stockyard consisting of pens or other enclosures and their appurtenances in which livestock services such as feeding, watering, weighing, sorting, receiving and shipping are offered to the public: *Provided*, That stockyard shall not include any facilities where livestock is offered for sale at public auction, feed lots, or quarantined registered feed lots.

"Packer."

(8) "Packer" means any person engaged in the business of slaughtering, manufacturing, preparing

meat or meat products for sale, marketing meat, meat food products or livestock products.

(9) "Deputy state veterinarian" means a graduate veterinarian authorized to practice in the state of Washington and appointed or deputized by the director as his duly authorized representative.

"Deputy state veterinarian."

SEC. 2. Public livestock markets shall be under the direction and supervision of the director, and the director, but not his duly authorized representative, may adopt such rules and regulations as are necessary to carry out the purpose of this act. It shall be the duty of the director to enforce and carry out the provisions of this act and rules and regulations adopted hereunder. No person shall interfere with the director when he is performing or carrying out any duties imposed upon him by this act or rules and regulations adopted hereunder.

Administration—Enforcement—Interference prohibited.

SEC. 3. On and after the effective date of this act no person shall operate a public livestock market without first having obtained a license from the director. Application for such license shall be in writing on forms prescribed by the director, and shall include the following:

Public livestock market license.

(1) A legal description of the property upon which the public livestock market shall be located.

Application—Contents.

(2) A complete description and blueprints or plans of the public livestock market physical plant, yards, pens and all facilities the applicant proposes to use in the operation of such public livestock market.

(3) A detailed statement showing all the assets and liabilities of the applicant.

(4) The schedule of rates and charges the applicant proposes to impose on the owners of livestock for services rendered in the operation of such livestock market.

(5) The weekly or monthly sales day or days on

which the applicant proposes to operate his public livestock market sales.

(6) Such other information as the director may reasonably require.

License fee.

Such application shall be accompanied by a license fee of one hundred dollars. Any applicant operating more than one public livestock market shall make a separate application for a license to operate each such public livestock market, and each such application shall be accompanied by a license fee of one hundred dollars. A licensee may change the location of his public livestock market or markets subject to the provisions of this act and the approval of the new public livestock market facilities by the director.

Expiration of license—Penalty upon failure to renew.

SEC. 4. All licenses provided for in this act shall expire on March first subsequent to the date of issue. Any person who fails, refuses, or neglects to apply for a renewal of a pre-existing license on or before the date of expiration, shall pay a penalty of twenty-five dollars, which shall be added to the regular one hundred dollar license fee, before such license may be renewed by the director.

Disposition of license fees.

SEC. 5. All fees provided for under this act shall be retained by the director for the purpose of enforcing this act.

License posted.

SEC. 6. The licensee's license shall be posted conspicuously in the main office of such licensee's public livestock market.

Issuance to prior operators.

SEC. 7. Any person legally operating a community livestock salesyard under a permit issued pursuant to chapter 16.64 and engaged in such business upon the effective date of this act shall be issued a license, upon execution of the bond as in this act provided and upon application and payment of the one hundred dollar license fee required herein: *Provided*, That such licensee shall comply

with all the provisions of this act and rules and regulations adopted hereunder. Such licensee shall comply with all the building, pen and yard facility requirements of this act within one year from its effective date. Failure to comply with such requirements shall be sufficient grounds, upon hearing, for the director's revocation of the licensee's license.

SEC. 8. (1) The director is authorized to deny, suspend, or revoke a license in the manner prescribed herein, when there are findings by the director that any licensee (a) has been guilty of fraud or misrepresentation as to titles, charges, numbers, brands, weights, proceeds of sale, or ownership of livestock; (b) has violated any of the provisions of this chapter or rules and regulations adopted hereunder; (c) has violated any laws of the state that require health or brand inspection of livestock; (d) has violated any condition of the bond, as provided in this act.

Denial, suspension or revocation of licenses, procedure.

(2) In all proceedings for revocation, suspension, or denial of a license the licensee or applicant shall be given an opportunity to be heard in regard to such revocation, suspension or denial of a license. The director shall give the licensee or applicant twenty days' notice in writing and such notice shall specify the charges or reasons for such revocation, suspension or denial. The notice shall also state the date, time and place where such hearing is to be held. Such hearings shall be held in the city where the licensee has his principal place of business, or where the applicant resides, unless some other place be agreed upon by the parties, and the defendant may be represented by counsel.

Hearing—
Notice of.

(3) The director may issue subpoenas to compel the attendance of witnesses, and/or the production of books or documents anywhere in the state. The applicant or licensee shall have opportunity to be heard, and may have such subpoenas issued as he

Subpoenas.

Testimony. desires. Subpoenas shall be served in the same manner as in civil cases in the superior court. Witnesses shall testify under oath which may be administered by the director. Testimony shall be recorded, and may be taken by deposition under such rules as the director may prescribe.

Findings. (4) The director shall hear and determine the charges, make findings and conclusions upon the evidence produced, and file them in his office, together with a transcript of all of the evidence, and serve upon the accused a copy of such findings and conclusions.

Appeal. (5) The revocation, suspension or denial of a license shall be in writing, signed by the director, stating the grounds upon which such order is based and the aggrieved person shall have the right to appeal from such order within twenty days after a copy thereof is served upon him, to the superior court of the county in which the applicant's public livestock market is located. Trial on such appeal shall be de novo: *Provided*, That upon agreement of the parties it may be confined to a review of the record made at the hearing before the director. The trial on such appeal from the order of the director shall be held in the superior court of the county of the residence of the licensee or applicant.

(6) An appeal shall lie to the supreme court from the judgment of the superior court as provided in other civil cases.

Brand inspection—
Fee, minimum.

SEC. 9. The director shall provide for brand inspection. When such brand inspection is required the licensee shall collect from the consignor and pay to the department, as provided by law, a fee for brand inspection for each animal consigned to the public livestock market: *Provided*, That if in any one sale day the total fees collected for brand inspection do not exceed twenty dollars, then such

licensee shall pay twenty dollars for such brand inspection.

SEC. 10. The licensee of each public livestock market shall collect from any purchaser of livestock requesting brand inspection a fee as provided by law for each animal inspected. Such fee shall be in addition to the fee charged to the consignor for brand inspection and shall not apply to the minimum fee chargeable to the licensee.

Brand
inspection for
purchaser
—Fee.

SEC. 11. The director shall cause a charge to be made for any examining, testing, treating, or inoculation required by this act and rules and regulations adopted hereunder. Such charge shall be paid by the licensee to the department and such charge shall include the cost of the required drugs and a fee no larger than two dollars nor less than fifty cents for administration of such drugs to each animal and such fee shall be set at the discretion of the director. However, if the total fees payable to the department for such examining, testing, treating or inoculation do not exceed the actual cost to the department for such examining, testing, treating, or inoculation, or ten dollars (whichever is greater), the director shall require the licensee to pay the actual cost of such examining, testing, treating, or inoculation, or ten dollars (whichever is greater), to the department.

Examining,
treating—
Charges.

SEC. 12. A licensee shall not, except as provided in this act, pay the net proceeds or any part thereof arising from the sale of livestock consigned to the said licensee for sale, to any person other than the consignor of such livestock except upon an order from a court of competent jurisdiction, unless (1) such licensee has reason to believe that such person is the owner of the livestock; (2) such person holds a valid unsatisfied mortgage or lien upon the particular livestock, or (3) such person holds a

Proceeds paid
to consignor
—Exceptions.

written order authorizing such payment executed by the owner at the time of or immediately following the consignment of such livestock.

Unlawful use
of proceeds.

SEC. 13. It shall be unlawful for the licensee to use for his own purposes consignor's net proceeds, or funds received by such licensee to purchase livestock on order, through recourse to the so-called "float" in the bank account, or in any other manner.

"Custodial
account for
consignor's
proceeds."

SEC. 14. If the director finds that any licensee has used for purposes of his own any proceeds derived from the sale of livestock handled on a commission or agency basis, or any funds received for the purchase of livestock on a commission or agency basis, or any other funds which have come into his possession as an agent, such licensee shall thereafter deposit the gross proceeds received from the sale of livestock handled on a commission or agency basis in a separate bank account designated a "custodial account for consignor's proceeds". Such account shall be drawn on only for the payment of net proceeds to the consignor, or such other person or persons of whom such licensee has knowledge is entitled to such proceeds, and to obtain from such proceeds only the sums due the licensee as compensation for his services as are set out in his tariffs, and for such sums as are necessary to pay all legal charges against the consignment of livestock which the licensee in his capacity as agent is required to pay for on behalf of the consignor or shipper. The licensee in each case shall keep such accounts and records that will at all times disclose the names of the consignors and the amount due and payable to each from the funds in the custodial account for consignor's proceeds. The licensee shall maintain the custodial account for consignor's proceeds in a manner that will expedite examination by the director and reflect compliance with the requirements of this section.

SEC. 15. The delivery of livestock, for the purpose of sale, by any consignor or vendor to a public livestock market without making a full disclosure to the agent or licensee of such public livestock market of any unsatisfied lien or mortgage upon such livestock shall constitute a gross misdemeanor.

Lack of disclosure, gross misdemeanor.

SEC. 16. The licensee shall deliver the net proceeds together with an invoice to the consignor or shipper within twenty-four hours after the sale or by the end of the next business day if the licensee is not on notice that any other person or persons have a valid interest in the livestock.

Immediate delivery of proceeds.

SEC. 17. The licensee shall keep accurate records which shall be available for inspection to all parties directly interested therein, and such records shall contain the following information:

Records of licensee.

Contents.

(1) The date on which each consignment of livestock was received and sold.

(2) The name and address of the buyer and seller of such livestock.

(3) The number and specie of livestock received and sold.

(4) The marks and brands on such livestock as supplied by a brand inspector.

(5) The health status of such livestock as supplied by a veterinarian.

(6) All statements of warranty or representations of title material to, or upon which, any such sale is consummated.

(7) The gross selling price of such livestock with a detailed list of all charges deducted therefrom.

Such records shall be kept by the licensee for one year subsequent to the receipt of such livestock.

SEC. 18. All rates or charges made for any stockyard services furnished at a public livestock market shall be just, reasonable, and nondiscriminatory,

Unjust rate unlawful.

and any unjust, unreasonable, or discriminatory rate or charge is prohibited and declared to be unlawful.

Schedule of rates.

SEC. 19. No person shall hereafter operate a public livestock market unless such person has filed a schedule with the application for license to operate such public livestock market. Such schedule shall show all rates and charges for stockyard services to be furnished by such person at such public livestock market.

Contents.

Posting.

(1) Schedules shall be posted conspicuously at the public livestock market, and shall plainly state all such rates and charges in such detail as the director may require, and shall state any rules and regulations which in any manner change, affect, or determine any part of the aggregate of such rates or charges, or the value of the stockyard services furnished. The director may determine and prescribe the form and manner in which such schedule shall be prepared, arranged and posted.

Change in rates—
Procedure.

(2) No changes shall be made in rates or charges so filed and published except after thirty days' notice to the director and to the public filed and posted as aforesaid, which shall plainly state the changes proposed to be made and the time such changes will go into effect.

Prohibited acts by licensee.

(3) No licensee shall charge, demand or collect a greater or a lesser or a different compensation for such service than the rates and charges specified in the schedule filed with the director and in effect at the time; nor shall a licensee refund or remit in any manner any portion of the rates or charges so specified (but this shall not prohibit a cooperative association of producers from properly returning to its members, on a patronage basis, its excess earnings on their livestock); nor shall a licensee extend to any person at such public livestock market any stockyard services except such as are specified in such schedule.

SEC. 20. Before any license is issued to operate a public livestock market, the applicant shall execute and deliver to the director a surety bond in a sum as herein provided for, executed by the applicant as principal and by a surety company qualified and authorized to do business in this state as surety. Said bond shall be of a standard form and approved by the director as to terms and conditions. Said bond shall be conditioned that the principal will not commit any fraudulent act and will comply with the provisions of this act and the rules and/or regulations adopted hereunder. Said bond shall be to the state in favor of every consignor and/or vendor creditor whose livestock was handled or sold through or at the licensee's public livestock market.

Bond pre-requisite to license.

The total and aggregate liability of the surety for all claims which may arise during any one license period upon the bond shall be limited to the face of the bond. Every bond filed with and approved by the director shall, without the necessity of periodic renewal, remain in force and effect until such time as the license of licensee is revoked for cause or otherwise cancelled. The surety on a bond, as provided herein, shall be released and discharged from all liability to the state accruing on such bond after the expiration of thirty days from the date upon which such surety shall have lodged with the director a written request to be released and discharged, but this provision shall not operate to relieve, release or discharge the surety from any liability already accrued or which shall accrue (due and to become due hereunder) before the expiration of the thirty-day period. The director shall promptly, upon receiving any such request, notify the principal who furnished the bond; and unless the principal shall, on or before the expiration of the thirty-day period, file a new bond, the director shall forthwith cancel the principal's license.

Liability of surety limited.

Bond--Determination of sum.

SEC. 21. The sum of the bond to be executed by an applicant for a public livestock market license shall be determined in the following manner:

(1) Determine the dollar volume of business carried on, at, or through, such applicant's public livestock market in the twelve-month period prior to such applicant's application for a license.

(2) Divide such dollar volume of business by the number of official sale days granted such applicant's public livestock market, as herein provided, in the same twelve-month period provided for in subsection (1).

(3) One-half the sum determined by carrying out the provisions of subsections (1) and (2) shall be the sum of the bond the applicant shall execute in favor of the state: *Provided*, That the sum of the applicant's bond shall at no time be in an amount less than five thousand dollars, nor greater than twenty-five thousand dollars.

Minimum, maximum sum.

New business, determining bond.

SEC. 22. If the application for a license to operate a public livestock market is from a new public livestock market which has not operated in the past twelve-month period, the director shall determine a bond, in a reasonable sum, that the applicant shall execute in favor of the state, which shall not be less than five thousand dollars nor greater than twenty-five thousand dollars: *Provided*, That the director may at any time, upon written notice, review the licensee's operations and determine whether, because of increased or decreased sales, the amount of the bond should be altered.

Each market bonded.

SEC. 23. Any licensee operating more than one public livestock market shall execute a bond, as herein provided, for each such licensed public livestock market.

Action upon bond, for fraud.

SEC. 24. Any vendor or consignor creditor claiming to be injured by the fraud of any licensee may

bring action upon said bond against both principal and surety in any court of competent jurisdiction to recover the damages caused by such fraud.

SEC. 25. The director or any vendor or consignor creditor may also bring action upon said bond against both principal and surety in any court of competent jurisdiction to recover the damages caused by any failure to comply with the provisions of this act and the rules and/or regulations adopted hereunder.

Action upon bond, failure to comply with act.

SEC. 26. In case of failure by a licensee to pay amounts due a vendor or consignor creditor whose livestock was handled or sold through or at the licensee's public livestock market, as evidenced by a verified complaint filed with the director, the director may proceed forthwith to ascertain the names and addresses of all vendor or consignor creditors of such licensee, together with the amounts due and owing to them and each of them by such licensee, and shall request all such vendor and consignor creditors to file a verified statement of their respective claims with the director. Such request shall be addressed to each known vendor or consignor creditor at his last known address.

Failure of payment by licensee—Claim procedure.

Verified claim.

SEC. 27. If a vendor or consignor creditor so addressed fails, refuses or neglects to file in the office of the director his verified claim as requested by the director within sixty days from the date of such request, the director shall thereupon be relieved of further duty or action hereunder on behalf of said producer or consignor creditor.

Default upon failure to file claim.

SEC. 28. Where by reason of the absence of records, or other circumstances making it impossible or unreasonable for the director to ascertain the names and addresses of all said vendor and consignor creditors, the director, after exerting due diligence and making reasonable inquiry to secure said information from all reasonable and available

Director not liable for claims, when.

sources, may make demand on said bond on the basis of information then in his possession, and thereafter shall not be liable or responsible for claims or the handling of claims which may subsequently appear or be discovered.

Director's
demand upon
bond.

SEC. 29. Upon ascertaining all claims and statements in the manner herein set forth, the director may then make demand upon the bond on behalf of those claimants whose statements have been filed, and shall have the power to settle or compromise said claims with the surety company on the bond, and is empowered in such cases to execute and deliver a release and discharge of the bond involved.

Action on
bond—New
bond filed.

SEC. 30. Upon the refusal of the surety company to pay the demand, the director may thereupon bring an action on the bond in behalf of said vendor and consignor creditors. Upon any action being commenced on said bond, the director may require the filing of a new bond. Immediately upon the recovery in any action on such bond such licensee shall file a new bond. Upon failure to file the same within ten days, in either case, such failure shall constitute grounds for the suspension or revocation of his license.

Creditors
share pro
rata—Prior-
ity claims.

SEC. 31. In any settlement or compromise by the director with a surety company as provided in section 29, where there are two or more consignor and/or vendor creditors that have filed claims, either fixed or contingent, against a licensee's bond, such creditors shall share pro rata in the proceeds of the bond to the extent of their actual damage: *Provided*, That the claims of the state and the department which may accrue from the conduct of the licensee's public livestock market shall have priority over all other claims.

Director may
receive veri-
fied com-
plaints.

SEC. 32. For the purpose of enforcing the provisions of this act, the director is authorized to

receive verified complaints from any vendor or consignee against any licensee, or agent, or any person assuming or attempting to act as such, and upon receipt of such verified complaint shall have full authority to make any and all necessary investigations relative to such complaint. The director is empowered to administer oaths of verification of such complaints.

SEC. 33. For the purpose of making investigations as provided for in section 32, the director may enter a public livestock market and examine any records required under the provisions of this act. The director shall have full authority to issue subpoenas requiring the attendance of witnesses before him, together with all books, memorandums, papers, and other documents relative to the matters under investigation, and to administer oaths and take testimony thereunder.

Investigating powers of director.

SEC. 34. The director may, when livestock is sold, traded, exchanged or handled at or through a public livestock market, require such testing, treating, identifying and examining of such livestock by a deputy state veterinarian as in the director's judgment may be necessary to prevent the spread of brucellosis, tuberculosis, paratuberculosis, hog cholera or any other infectious, contagious or communicable disease among the livestock of this state.

Director may require testing, treating.

SEC. 35. (1) The director shall perform all tests and make all examinations required under the provisions of this act and rules and regulations adopted hereunder: *Provided*, That veterinary inspectors of the United States Department of Agriculture may be appointed by the director to make such examinations and tests as are provided for in this act without bond or compensation, and shall have the same authority and power in this state as a deputy state veterinarian.

Examinations and tests by director.

Sanitary
control by
director.

(2) The director shall have the responsibility for the direction and control of sanitary practices and health practices and standards and for the examination of animals at public livestock markets. The deputy state veterinarian at any such public livestock market shall notify the licensee or his managing agent, in writing, of insanitary practices or conditions. Such deputy state veterinarian shall notify the director if the improper sanitary practices or conditions are not corrected within the time specified. The director shall investigate and upon finding such report correct shall take appropriate action to hold a hearing on the suspension or revocation of the licensee's license.

Sanitary
facilities
required in
livestock
markets.

SEC. 36. Licensees shall provide facilities and sanitation for the prevention of livestock diseases at their public livestock markets, as follows:

(1) The floors of all pens and alleys that are part of a public livestock market shall be constructed of concrete or similar impervious material and kept in good repair, with a slope of not less than one-fourth inch per foot to adequate drains leading to an approved sewage system: *Provided*, That the director may designate certain pens within such public livestock markets as feeding and holding pens and the floors and alleys of such pens shall not be subject to the aforementioned surfacing requirements.

(2) Feeding and holding pens maintained in an area adjacent to a public livestock market shall be constructed and separated from such public livestock market, in a manner prescribed by the director, in order to prevent the spread of communicable diseases to the livestock sold or held for sale in such public livestock market.

(3) All yards, chutes and pens used in handling livestock shall be constructed of such materials which will render them easily cleaned and disinfected, and such yards, pens and chutes shall be kept clean,

sanitary and in good repair at all times, as required by the director.

(4) Sufficient calf pens of adequate size to prevent overcrowding shall be provided, and such pens, when used, shall be cleaned and disinfected no later than the day subsequent to each sale.

(5) All swine pens, when used, shall be cleaned and disinfected no later than the day subsequent to each sale.

(6) A water system carrying a pressure of forty pounds and supplying sufficient water to thoroughly wash all pens, floors, alleys and equipment shall be provided.

(7) Sufficient quarantine pens of adequate capacity shall be provided. Such pens shall be used to hold only cattle reacting to brucellosis and tuberculosis or to quarantine livestock with other contagious or communicable diseases and shall be:

(a) hard surfaced with concrete or similar impervious material and shall be kept in good repair;

(b) provided with separate watering facilities;

(c) painted white with the word "quarantine" painted in red letters not less than four inches high on such quarantine pen's gate;

(d) provided with a tight board fence not less than five and one-half feet high;

(e) cleaned and disinfected not later than one day subsequent to the date of sale.

To prevent the spread of communicable diseases among livestock, the director shall have the authority to cause the cleaning and disinfecting of any area or all areas of a public livestock market and equipment or vehicles with a complete coverage of disinfectants approved by the director.

SEC. 37. Pens used to hold livestock for a period of twenty-four hours or more shall have watering and feeding facilities for livestock held in such pens; it shall be unlawful to hold livestock for a period

Feeding and watering facilities required.

longer than twenty-four hours in such pens without feeding and watering such livestock.

Facilities for functions of veterinarians.

SEC. 38. Public livestock market facilities shall include adequate space and facilities necessary for deputy state veterinarians to properly carry out their functions as prescribed by law and rules and regulations adopted hereunder.

Facilities for brand inspection.

SEC. 39. Public livestock market facilities shall include space and facilities necessary for brand inspectors to properly carry out their duties, as provided by law and rules and regulations adopted hereunder, in a safe and expeditious manner.

Weighing facilities.

SEC. 40. (1) Each licensee shall maintain and operate approved weighing facilities for the weighing of livestock at such licensee's public livestock market.

Livestock weighed.

(2) All livestock consigned to or sold at or through a public livestock market shall be weighed by a licensed weighmaster.

(3) All scales used by the licensee shall be equipped with a balance indicator, a weigh beam and a mechanical weight recorder, all readily visible to all interested parties.

(4) All scales used by the licensee shall be checked for balance at short intervals during the process of selling and immediately prior to the beginning of each sale day.

Scale tickets.

(5) The scale ticket shall have the weights mechanically imprinted upon such tickets when the weigh beam is in balance during the process of weighing, and shall be issued in triplicate for all livestock weighed at a public livestock market. A copy of such weight tickets shall be issued to the buyer and seller of the livestock weighed.

Unlawful control by packer.

SEC. 41. It shall be unlawful for a packer to own or control more than a twenty percent interest in any public livestock market, directly or indirectly

through stock ownership or control, or otherwise by himself or through his agents or employees.

SEC. 42. (1) The licensee may apply to the director for a change of official sale date or dates. However, such application shall be subject to a hearing and approval by the director. Sale dates—
Application
for change.

(2) No special sale shall be conducted by the licensee unless the licensee has applied to the director in writing fifteen days prior to such proposed sale and such sale date shall be approved at the discretion of the director.

SEC. 43. Information and records of the licensee that are necessary for the compilation of adequate reports on the marketing of livestock shall be made available to the director or any news service, publishing or broadcasting such market reports. Records to be
available.

SEC. 44. Any person who shall violate any provisions or requirements of this act or rules and regulations adopted by the director pursuant to this act shall be deemed guilty of a misdemeanor; and any subsequent violation thereafter shall be deemed a gross misdemeanor. Violations,
misdemeanor,
gross misde-
meanor.

SEC. 45. If any section or provision of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole, or any section, provision or part thereof, not adjudged invalid or unconstitutional. Severability.

SEC. 46. Any licensee or applicant who has had his or its license revoked, suspended or denied by the director and feels himself or itself aggrieved by said order may appeal to the superior court of the county in the state of Washington of the residence of the licensee or applicant where the trial on such appeal shall be held de novo. Appeal.

SEC. 47. Sections 1 through 4, chapter 187, Laws of 1947 as amended by sections 6 and 7, chapter 98, Repeal.

Laws of 1949 and RCW 16.64.010 through 16.64.040 are each repealed.

Passed the House March 5, 1959.

Passed the Senate March 4, 1959.

Approved by the Governor March 11, 1959.

CHAPTER 108.

[H. B. 382.]

WATER DISTRICTS

AN ACT relating to water districts; amending section 8, chapter 114, Laws of 1929 and RCW 57.08.010; amending section 3, chapter 251, Laws of 1953 and RCW 57.08.045; adding two new sections to chapter 57.08 RCW; amending section 7, chapter 114, Laws of 1929, as last amended by section 1, chapter 18, Laws of 1959, and RCW 57.12.010; amending section 6, chapter 18, Laws of 1959 and RCW 57.16.010; amending section 7, chapter 18, Laws of 1959 and RCW 57.16.020; amending section 8, chapter 18, Laws of 1959 and RCW 57.16.030; amending section 9, chapter 18, Laws of 1959 and RCW 57.16.040; adding a new section to chapter 57.16 RCW; amending section 3, chapter 128, Laws of 1939 and RCW 57.20.020; amending section 17, chapter 251, Laws of 1953 and RCW 57.20.025; amending section 23, chapter 114, Laws of 1929 and RCW 57.20.140; adding four new sections to chapter 57.20 RCW; adding two new sections to Title 57, RCW; and declaring an emergency.

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

RCW 57.08.010 amended.

SECTION 1. Section 8, chapter 114, Laws of 1929 and RCW 57.08.010 are each amended to read as follows:

Right to acquire property and rights—Eminent domain.

A water district may acquire by purchase or condemnation, or both, all property and property rights and all water and water rights, both within and without the district, necessary for its purposes. A water district may lease real or personal property necessary for its purposes for a term of years for which such leased property may reasonably be