

if such shopkeeper, itinerant vendor, salesman, or peddler shall have obtained a license.

NEW SECTION. Sec. 20. Section 9, chapter 180, Laws of 1923, section 8, chapter 38, Laws of 1963 and RCW 18.64.110 are each repealed.

Passed the Senate February 16, 1979.

Passed the House March 2, 1979.

Approved by the Governor March 23, 1979.

Filed in Office of Secretary of State March 23, 1979.

CHAPTER 91

[Senate Bill No. 2206]

COMMERCIAL FEED DISTRIBUTORS—INSPECTION FEES

AN ACT Relating to commercial feed; amending section 6, chapter 31, Laws of 1965 ex. sess. as last amended by section 5, chapter 257, Laws of 1975 1st ex. sess. and RCW 15.53.9018; and providing an effective date.

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

Section 1. Section 6, chapter 31, Laws of 1965 ex. sess. as last amended by section 5, chapter 257, Laws of 1975 1st ex. sess. and RCW 15.53.9018 are each amended to read as follows:

(1) On or after (~~(July 1, 1975)~~) January 1, 1980, each initial distributor of a commercial feed in this state shall pay to the department an inspection fee of (~~(six)~~) eight cents per ton on all commercial feed sold by such person during the year.

(2) In computing the tonnage on which the inspection fee must be paid, sales of commercial feed to other feed registrants, sales of commercial feed in packages weighing less than ten pounds, and sales of commercial feed for shipment to points outside this state may be excluded.

(3) When more than one distributor is involved in the distribution of a commercial feed, the last registrant or initial distributor who distributes to a nonregistrant (dealer or consumer) is responsible for reporting the tonnage and paying the inspection fee, unless the reporting and paying of fees have been made by a prior distributor of the feed.

(4) Each person made responsible by this chapter for the payment of inspection fees for commercial feed sold in this state shall file a report with the department on (~~(October 1st,)~~) January 1st(~~(, April 1st,)~~) and July 1st of each year showing the number of tons of such commercial feed sold during the (~~(three)~~) six calendar months immediately preceding the date the report is due. The proper inspection fee shall be remitted with the report. The person required to file the report and pay the fee shall have a thirty-day period of grace immediately following the day the report and payment are due to file the report, and pay the fee: PROVIDED, That upon permission of the department, an annual statement under oath may be filed by any

person distributing within the state less than (~~(fifty)~~) one hundred tons (~~(per quarter)~~) for each six-month period during any year, and upon filing such statement such person shall pay the inspection fee at the rate stated in subsection (1) of this section.

(5) Each distributor shall keep such reasonable and practical records as may be necessary or required by the department to indicate accurately the tonnage of commercial feed distributed in this state, and the department shall have the right to examine such records to verify statements of tonnage. Failure to make an accurate statement of tonnage or to pay the inspection fee or comply as provided herein shall constitute a violation of this chapter.

(6) Inspection fees which are due and owing and have not been remitted to the department within thirty days following the due date shall have a collection fee of (~~(twenty-five)~~) ten percent, but not less than five dollars, added to the amount due when payment is finally made. The assessment of this collection fee shall not prevent the department from taking other actions as provided for in this chapter.

(7) The report required by subsection (4) of this section shall not be a public record, and it shall be a misdemeanor for any person to divulge any information given in such report which would reveal the business operation of the person making the report: PROVIDED, That nothing contained in this subsection shall be construed to prevent or make unlawful the use of information concerning the business operation of a person if any action, suit, or proceeding instituted under the authority of this chapter, including any civil action for collection of unpaid inspection fees, which action is hereby authorized and which shall be as an action at law in the name of the director of the department.

(8) Any commercial feed purchased by a consumer or contract feeder outside the jurisdiction of this state and brought into this state for use shall be subject to all the provisions of this chapter, including inspection fees.

NEW SECTION. Sec. 2. This act shall take effect on January 1, 1980.

Passed the Senate March 6, 1979.

Passed the House March 1, 1979.

Approved by the Governor March 23, 1979.

Filed in Office of Secretary of State March 23, 1979.

CHAPTER 92

[Substitute Senate Bill No. 2265]

PESTICIDE APPLICATORS—LICENSURE

AN ACT Relating to pesticide application; amending section 2, chapter 249, Laws of 1961 as last amended by section 1, chapter 191, Laws of 1971 ex. sess. and RCW 17.21.020; amending section 3, chapter 249, Laws of 1961 and RCW 17.21.030; amending section 20, chapter 249, Laws of 1961 as last amended by section 5, chapter 191, Laws of 1971 ex. sess. and RCW 17.21.200; amending section 9, chapter 191, Laws of 1971 ex. sess. and RCW 17.21.203; amending section 18, chapter 177, Laws of 1967 as amended by