

NEW SECTION. Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House April 23, 1979.

Passed the Senate April 6, 1979.

Approved by the Governor April 27, 1979.

Filed in Office of Secretary of State April 27, 1979.

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CHAPTER 91

[House Bill No. 229]

PUBLIC LIVESTOCK MARKETS—LICENSE FEE

AN ACT Relating to public livestock markets; amending section 3, chapter 107, Laws of 1959 as last amended by section 1, chapter 192, Laws of 1971 ex. sess. and RCW 16.65.030; and amending section 4, chapter 107, Laws of 1959 and RCW 16.65.040.

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

Section 1. Section 3, chapter 107, Laws of 1959 as last amended by section 1, chapter 192, Laws of 1971 ex. sess. and RCW 16.65.030 are each amended to read as follows:

~~((1))~~ (1) On and after ~~((the effective date of this chapter))~~ June 10, 1959, no person shall operate a public livestock market without first having obtained a license from the director. Application for such license or renewal thereof shall be in writing on forms prescribed by the director, and shall include the following:

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

~~((2))~~ (b) 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))~~ (c) A detailed statement showing all the assets and liabilities of the applicant.

~~((4))~~ (d) 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))~~ (e) The weekly or monthly sales day or days on which the applicant proposes to operate his public livestock market sales.

~~((6))~~ (f) Projected source and quantity of livestock, by county, anticipated to be handled.

~~((7))~~ (g) Projected income and expense statements for the first year's operation.

~~((8))~~ (h) Facts upon which are based the conclusion that the trade area and the livestock industry will benefit because of the proposed market.

~~((9))~~ (i) Such other information as the director may reasonably require.

(2) The director shall, after public hearing as provided by chapter 34.04 RCW, grant or deny an application for original license for a public livestock market after considering evidence and testimony relating to all requirements and giving reasonable consideration at the same hearing to:

~~((1))~~ (a) Benefits to the livestock industry to be derived from the establishment and operation of the public livestock market proposed in the application~~(:);~~ and

~~((2))~~ (b) The present market services elsewhere available to the trade area proposed to be served.

(3) Such application shall be accompanied by a license fee ~~((of one hundred dollars))~~ based on the average gross sales volume per official sales day of that market:

(a) Markets with an average gross sales volume up to and including ten thousand dollars, a one hundred dollar fee;

(b) Markets with an average gross sales volume over ten thousand dollars and up to and including fifty thousand dollars, a two hundred dollar fee; and

(c) Markets with an average gross sales volume over fifty thousand dollars, a three hundred dollar fee.

(4) 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 ~~((α))~~ the appropriate license fee ((of one hundred dollars)).

(5) Upon the approval of the application by the director and compliance with the provisions of this chapter, the applicant shall be issued a license or renewal thereof. Any license issued under the provisions of this chapter shall only be valid at location and for the sales day or days for which the license was issued.

Sec. 2. Section 4, chapter 107, Laws of 1959 and RCW 16.65.040 are each amended to read as follows:

All licenses provided for in this chapter shall expire on March 1st subsequent to the date of issue. Any person who fails, refuses, or neglects to apply for a renewal of a preexisting 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.

Passed the House March 21, 1979.

Passed the Senate April 17, 1979.

Approved by the Governor April 27, 1979.

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