

CHAPTER 388.

[ S. B. 69. ]

WAREHOUSEMEN—LICENSE—BOND.

AN ACT relating to the licensing of warehousemen and amending section 1, chapter 186, Laws of 1933 and RCW 22.08.160 and 22.08.170.

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

Division and amendment.

SECTION 1. Section 1, chapter 186, Laws of 1933, (heretofore codified as RCW 22.08.160 and 22.08.170) is divided and amended as set forth in sections 2 and 3 of this act.

Grain or terminal warehouse operators to procure license.

SEC. 2. (RCW 22.08.160) Every person operating any grain or terminal warehouse subject to the provisions of this chapter shall, on or before the first day of July of each year, procure from the director a license for each warehouse so owned or operated for the ensuing year before transacting business therein, except that the operator of two or more warehouses located within the corporate limits of any city or town, or at any railroad siding or at one location in the open country off rail may, at his option, license all such warehouses under one state license. If the warehouseman elects to license all warehouses located in one city or town under one license he shall pay a license fee equal to the number of separate warehouses he operates in that town multiplied by the amount of the license fee as provided below. No license shall be issued before the bond hereinafter required shall have been given and approved, or proof of the filing and approval of the bond as required by the United States warehouse act shall be filed with the director.

Warehouses licensed under one license; computation of fee.

Bond prerequisite to issuance of license.

License fee.

The fee for the license shall be twelve and one-half dollars per warehouse per year for all warehouses except terminal warehouses, and for each terminal warehouse the license fee shall be fifty

dollars per year. Any person operating any grain or terminal warehouse in this state without a license shall forfeit to the state for each day's operation fifty dollars to be recovered in an action brought by the prosecuting attorney of the county in which the warehouse is situated, upon complaint of the director. The operation of the warehouse may also be enjoined by the director.

Penalty on operation of warehouse without license.

Operation enjoined.

The license shall be posted in a conspicuous place in the office of each warehouse, and may be revoked by the director for cause, upon notice and hearing.

Posting of license.

SEC. 3. (22.08.170) Each person operating any such warehouse shall, on or before the first day of July of each year, give a bond running to the state in a sum equal to five cents per bushel of the grain capacity of the warehouse, as may be determined by the director, but in no case less than the sum of five thousand dollars, and with a surety company authorized to do business within the state. The bond shall be approved by the director and the attorney general, and shall be conditioned for the faithful performance of the duty to keep in the warehouse for the holder of any warehouse receipt the commodity described in such receipt, and to deliver the commodity to, or ship it for, the holder only upon the surrender of the receipt.

Bond; computation of; minimum; approval and contents.

In case a person has applied for licenses to conduct two or more warehouses in the state, the assets applicable to all warehouses shall be subject to the liabilities of each.

If such person shall desire to give a single bond, such warehouses shall be deemed to be one warehouse for the purpose of the bond and the amount of the bond shall be fixed at the rate of five cents per bushel of the maximum number of bushels that all of the warehouses will accommodate when stored in the manner customary to each of the warehouses for which the bond is required, as determined by

Single bond; computation; minimum and maximum.

Surety's liability limited.

the director, but not less than five thousand dollars, nor more than fifty thousand dollars: *Provided*, That the aggregate liability of the surety upon such bond for all claims which may arise thereunder shall not exceed the face amount of the bond.

In the event that a bond has been filed with and approved by the Department of Agriculture of the United States, and satisfactory proof of the filing and approval of the bond has been filed with the director, then the bond so filed shall be considered as in lieu of the bond required by this section.

Passed the Senate March 9, 1955.

Passed the House March 7, 1955.

Approved by the Governor March 22, 1955.

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## CHAPTER 389.

[ Sub. S. B. 173. ]

### TAXATION—BUSINESS AND OCCUPATION, USE, PUBLIC UTILITIES, MECHANICAL DEVICES.

AN ACT relating to revenue and taxation amending section 2, chapter 228, Laws of 1949, as amended by section 3, chapter 28, Laws of 1951 second extraordinary session, and section 3, chapter 91, Laws of 1953; and amending section 1, chapter 91, Laws of 1953 and RCW 82.04.296; and amending section 5, chapter 28, Laws of 1951 second extraordinary session, as amended by section 5, chapter 91, Laws of 1953, and RCW 82.08.150; and amending section 3, chapter 9, Laws of 1951 first extraordinary session and RCW 82.12.010; and amending section 7, chapter 228, Laws of 1949 and RCW 82.12.020; and amending section 4, chapter 9, Laws of 1951 first extraordinary session and RCW 82.12.030; and amending section 7, chapter 249, Laws of 1945 and RCW 82.12.040; and amending section 10, chapter 228, Laws of 1949 and RCW 82.16.010; and amending section 2, chapter 91, Laws of 1953 and RCW 82.16.026; and amending section 1, chapter 118, Laws of 1941, as amended by sections 18 and 19, chapter 228, Laws of 1949, and RCW 82.28.010, 82.28.020, 82.28.030, 82.28.040, 82.28.050 and 82.28.060; and amending section 25, chapter 228, Laws of 1949, as amended by sections 13 and 14, chapter 9, Laws of 1951 first extraordinary session; and amending section 30, chapter 225, Laws of 1939 and RCW 82.32.340 amending section 1, chapter 5, Laws of