

FROM: Washington State Potato Commission
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. XII
Emergency rules

relating to (Name of rules or description of subject matter)

Collection of potato assessments,
Chapter 16-516, Washington Potatoes

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 4075 ① filed with the code reviser
on 5/30/73 ② were regularly adopted as permanent rules of this
(date)
agency at Pasco, Washington on 6/26/73 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be 8/1/73. ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of
these rules is necessary for the preservation of the public
health, safety, or general welfare and that observance of the
requirements of notice and opportunity to present views on
the proposed action would be contrary to the public interest,
were regularly adopted as emergency rules of this agency at
_____ on _____ and are herewith filed in
(place) (date)
the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter
34.04 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this twenty-sixth day of June 1973.

STATE OF WASHINGTON
FILED
JUL - 2 1973
CODE REVISER'S OFFICE
DOCKET # 5013 FILE # 26

Washington State Potato Commission
(AGENCY)
Walter G. de Page
By
Chairman
Title

① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY RE-
VISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVIS-
ER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED
IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING:
RCW 34.04.046. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

WASHINGTON STATE POTATO COMMISSION

RESOLUTION NO. 1

Administrative Order No. XII
Washington State Potato Commission Order Register (WAC 16-516-130 through WAC 16-516-160)

BE IT RESOLVED BY THE WASHINGTON STATE POTATO COMMISSION:

Section 1. The annexed regulations, to wit: WAC 16-516-130 through WAC 16-516-160 provide when prepayment of assessments shall be made by handlers.

Section 2. This resolution and annexed regulations, after being first recorded as an administrative order in the Order Register of the Washington State Potato Commission, shall be forwarded to the Code Revisor for filing pursuant to RCW 34.04.040 and WAC 1-12-050.

APPROVED AND ADOPTED JUNE 26, 1973.

Attest:

Walter A. Le Page, Chairman

George Skone

Edward W. Kes *visiting*

Joe Sorenson

Deane Housley

Oscar F. Fehrling

August Terino

Haskell Roman (Member)

Nancy Bair

Al Jensen

Herschel E. Hilg *Secy. Treas*

David R. Clark Jr.

Alma Bouchey

MEMBERS
WASHINGTON STATE POTATO
COMMISSION

Chapter 16-516

Washington Potatoes

AMD

WAC 16-516-130 ASSESSMENTS ON FIELD RUN OR UNGRADED POTATOES. Assessments shall be levied upon potatoes sold on a field run or ungraded basis as follows:

(1) If payment to the grower for said potatoes is based upon the gross weight of potatoes sold and not upon the yield of any particular grade of potatoes as determined by any type of sorting or inspection, then upon 90% of the gross hundred weight of potatoes so sold.

(2) If payment to the grower for said potatoes is based upon the net weight of potatoes intended for human consumption derived from the potatoes so sold as determined by any type of sorting or inspection, then upon the total net weight of such potatoes intended for human consumption.

NEW

WAC 16-516-140 CONDITIONS FOR PREPAYMENT OF ASSESSMENTS AND MAXIMUM PAYABLE. (1) Any handler, as defined in WAC 16-516-010 (10) handling potatoes for fresh market and who has not established a record of prompt payment of assessments due on fresh market potatoes in accordance with WAC 16-516-125, shall prepay the assessments due the commission.

(2) The sum of such prepayment shall be determined on the estimated basis of the potatoes the handler will handle during the first thirty days of the potato shipping season; or if the handler has shipped in the immediately prior potato shipping season the prepayment shall be based on the highest thirty day assessment due the commission during such shipping season: PROVIDED, That such prepayment shall not exceed twenty-five percent of the total estimated annual assessment payable by such handler.

NEW

WAC 16-516-150 NOTICE TO DIRECTOR. The commission shall notify the Director in writing of any handler who has not established a record of prompt payment as set forth in WAC 16-516-140, and such handler shall be subject to the provisions of WAC 16-516-040 (2) (c) which states as follows: No affected units of potatoes shall be transported, carried, shipped, sold, stored or otherwise handled or disposed of until every due and payable assessment herein provided for has been paid and the receipt issued or stamp cancelled, but no liability hereunder shall attach to common carriers in the regular course of their business. When any potatoes for which exemption as provided in subsection (1) of this section is claimed are shipped either by railroad or truck, there shall be plainly noted on the bill of lading, shipping document, container or invoice, the reasons for such exemptions.

NEW

WAC 16-516-160 EXEMPTION FROM PREPAYMENT. Any handler who has established a record of prompt payment during the entire previous potato shipping season and continues to maintain such record of prompt payment shall not be subject to the prepayment requirements set forth in WAC 16-516-140, such handler shall however at all times be subject to WAC 16-516-125.