

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

DEPARTMENT OF AGRICULTURE

(agency name)

Administrative Order No. 1921

(1) I, C. Alan Pettibone, director of the Department of Agriculture

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

WAC 16-96-130 The fee for brand inspecting cattle.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. filed with the code reviser on These rules shall take effect:
[ ] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).
[ ] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, C. Alan Pettibone, find that an emergency exists and that this order 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 public interest. A statement of the facts constituting the emergency is: Brand inspection activities carried out by the department are essential to the orderly marketing of livestock and are funded solely by dedicated funds. The fund balance in the Brand Fund has declined steadily for several months. Historically, the second quarter of each year is the lowest revenue collection period of the year. The increase of brand inspection fees is necessary to ensure the stability of the fund through that period. These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

[x] (a) This rule is promulgated pursuant to RCW 16.57.220 and is intended to administratively implement that statute.
[ ] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of (name of act or RCW citation)

[ ] (c) This rule is promulgated under the general rule-making authority of the (agency) as authorized in RCW

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED April 1, 1987

APR 1 1987

By C. Alan Pettibone, Deputy Director Director

Title

CODE REVISER'S OFFICE WSR 87-08-058

AMENDATORY SECTION (Amending Order 1748, filed 9/9/81)

**WAC 16-96-130 Brand inspection fees.** The fee for inspecting cattle and calves (~~of or~~) for brands, and/or any other method of identifying cattle and calves, shall be (~~forty-five~~) fifty cents per head, except at those public livestock markets in Oregon and Idaho, which are declared to be brand inspection points for Washington, where the fee shall be (~~thirty~~) thirty-five cents per head.