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**ENGROSSED SENATE BILL 5514**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** Senators Morton, Rasmussen and Swecker; by request of Department of Agriculture

Read first time 01/29/97. Referred to Committee on Agriculture & Environment.

1 AN ACT Relating to authorizing fees for commodity commissions and  
2 the department of agriculture; amending RCW 15.86.070; adding a new  
3 section to chapter 15.65 RCW; adding a new section to chapter 15.28  
4 RCW; adding a new section to chapter 43.23 RCW; adding a new section to  
5 chapter 15.66 RCW; and declaring an emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 15.65 RCW  
8 to read as follows:

9 (1) The dry pea and lentil commodity board may raise the rate of  
10 annual assessment in excess of the fiscal growth factor under chapter  
11 43.135 RCW from the assessment of one percent of the net receipts at  
12 the first point of sale to two percent.

13 (2) The farmed salmon commodity board may raise the rate of annual  
14 assessment in excess of the fiscal growth factor under chapter 43.135  
15 RCW from one cent per pound on the first fifteen million pounds,  
16 dressed head-on equivalent, to one and one-half cent per pound on the  
17 first ten million pounds, dressed head-on equivalent, and one cent per  
18 pound from ten to fifteen million pounds, dressed head-on equivalent,  
19 produced collectively by affected producers.

1 (3) The assessment limits established by this section are set  
2 solely to provide prior legislative authority for the purpose of RCW  
3 43.135.055 and may not be construed as providing a limitation on the  
4 authority of either commodity board to alter assessments in any manner  
5 not limited by RCW 43.135.055. However, any alteration in assessments  
6 made under the authority of this section shall be made in compliance  
7 with the procedural requirements established by this chapter for  
8 altering or amending assessments.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 15.28 RCW  
10 to read as follows:

11 (1) The commission may raise the rate of annual assessment in  
12 excess of the fiscal growth factor under chapter 43.135 RCW up to a  
13 maximum of eighteen dollars for each two thousand pounds of any soft  
14 tree fruit except cherries or any classification thereof, as to which  
15 the assessment may be increased to a maximum of thirty dollars for each  
16 two thousand pounds.

17 (2) The assessment limits established under subsection (1) of this  
18 section are set solely to provide prior legislative authority for the  
19 purpose of RCW 43.135.055 and do not limit the authority of the  
20 commission to alter assessments in any manner not limited by RCW  
21 43.135.055. However, any alteration in assessments made under the  
22 authority of subsection (1) of this section shall be made in compliance  
23 with the procedural requirements established by this chapter for  
24 altering or amending such assessments.

25 **Sec. 3.** RCW 15.86.070 and 1992 c 71 s 10 are each amended to read  
26 as follows:

27 (1) The director may adopt rules establishing a certification  
28 program for producers, processors, and vendors of organic or transition  
29 to organic food. The rules may govern, but are not limited to  
30 governing: The number and scheduling of on-site visits, both announced  
31 and unannounced, by certification personnel; recordkeeping  
32 requirements; and the submission of product samples for chemical  
33 analysis. The rules shall include a fee schedule that will provide for  
34 the recovery of the full cost of the organic food program. Fees  
35 collected under this section shall be deposited in an account within  
36 the agricultural local fund and the revenue from such fees shall be  
37 used solely for carrying out the provisions of this section, and no

1 appropriation is required for disbursement from the fund. The director  
2 may employ such personnel as are necessary to carry out the provisions  
3 of this section.

4 (2) The fees established under this section may be increased in  
5 excess of the fiscal growth factor as provided in RCW 43.135.055 for  
6 the fiscal year ending June 30, 1998.

7 NEW SECTION. Sec. 4. A new section is added to chapter 43.23 RCW  
8 to read as follows:

9 The director may collect moneys to recover the reasonable costs of  
10 publishing and disseminating informational materials by the department.  
11 Materials may be disseminated in printed or electronic format. All  
12 moneys collected shall be deposited in the agricultural local fund or  
13 other appropriate fund administered by the director.

14 NEW SECTION. Sec. 5. A new section is added to chapter 15.66 RCW  
15 to read as follows:

16 The wheat commission may raise the rate of annual assessment in  
17 excess of the fiscal growth factor under chapter 43.135 RCW from one-  
18 half percent of the net receipts at the first point of sale to one  
19 percent.

20 The assessment limits established by this section are set solely to  
21 provide prior legislative authority for the purpose of RCW 43.135.055  
22 and may not be construed as providing a limitation on the authority of  
23 the commission to alter assessments in any manner not limited by RCW  
24 43.135.055. However any alteration in assessments made under the  
25 authority of this section shall be made in compliance with the  
26 procedural requirements established by this chapter for altering or  
27 amending such assessments.

28 NEW SECTION. Sec. 6. Sections 1 and 2 of this act are necessary  
29 for the immediate preservation of the public peace, health, or safety,  
30 or support of the state government and its existing public  
31 institutions, and take effect immediately.

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