



RULE-MAKING ORDER
(RCW 34.05.360)

#2099

CR-103 (10/1/89)

Agency: Agriculture

- Permanent Rule
 Emergency Rule

(1) Date of adoption: 6/29/92^{DL}

(2) Purpose: To provide for the collection of an assessment on milk processors.

(3) Citation of existing rules affected by this order:

- Repealed:
Amended:
Suspended:

(4) Authority for adoption:

Statute: 15.36 RCW
Other Authority: Substitute Senate Bill 6393

(5.1) **PERMANENT RULE ONLY**

Pursuant to notice filed as WSR _____ on _____ (date).

Describe any changes other than editing from proposed to adopted version:

(5.2) **EMERGENCY RULE ONLY**

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

The Washington State Legislature enacted SSB 6393 wherein it levied an assessment on all milk processed in the state. The law takes effect July 1, 1992. An emergency rule is required to implement this law.

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules

- 31 days after filing
 Other (specify) _____ *

* (If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Emergency Rules

- Immediately
 Later (specify) 7/1/92

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

JUN 29 1992

TIME: 9:37
WSR: 92-14-076

NAME (TYPE OR PRINT)

C. Alan Pettibone

C. Alan Pettibone

Director

DATE

6/29/92

Chapter 16-103 WAC

MILK PROCESSING ASSESSMENTS AND COLLECTIONS

NEW SECTION

WAC 16-103-001 ASSESSMENTS. (1) The assessment on all milk processed in this state shall be one-half of one cent per hundredweight.

(2) All assessments shall be levied on the operator of the first milk plant receiving the milk for processing. This includes milk plants producing their own milk for processing and milk plants that receive milk from other sources.

(3) All assessments shall be in addition to those collected under chapter 15.44 RCW and/or Title 142 WAC.

NEW SECTION

WAC 16-103-002 COLLECTIONS. Milk plant operators shall submit a report to the director on or before the twentieth day of each month with the preceding month's assessment. The report shall list the milk plant name and address, pounds of milk received at that plant including milk purchased or received from other sources, and the total amount of assessment on forms provided by the director. Provided, that entities having more than one milk plant may submit one assessment check for all milk plants and include separate reports for each milk plant.

NEW SECTION

WAC 16-103-003 PENALTIES. Any due and payable assessment not paid by the milk plant operator by the twentieth of the succeeding month shall be considered a lien on any property owned by him or her. All delinquent assessments shall be filed as liens quarterly by the director with the county auditor of any county in which property owned by the milk plant operator is located. All delinquent assessments shall be collected in the manner and with the same priority over other creditors as prescribed for the collection of delinquent taxes under chapters 84.60 and 84.64 RCW.