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ENGROSSED SENATE BILL 5691

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State of Washington

54th Legislature

1995 Regular Session

By Senators Rasmussen, Newhouse, Loveland, Sellar and Hochstatter

Read first time 02/01/95. Referred to Committee on Agriculture & Agricultural Trade & Development.

1 AN ACT Relating to agricultural commodity commissions; amending RCW  
2 15.65.400, 15.26.140, and 15.26.155; providing an effective date; and  
3 declaring an emergency.

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

5 **Sec. 1.** RCW 15.65.400 and 1987 c 393 s 10 are each amended to read  
6 as follows:

7 In every marketing agreement and order the director shall prescribe  
8 the rate of such assessment. Such assessment shall be expressed as a  
9 stated amount of money per unit or as a percentage of the receipt price  
10 at the first point of sale. Such rate may be at the full amount of, or  
11 at any lesser amount than the amount hereinabove limited. Such rate  
12 may be altered or amended from time to time, but only upon compliance  
13 with the procedural requirements of this chapter. In every such  
14 marketing agreement, order and amendment the director shall base his  
15 determination of such rate upon the volume and price of sales of  
16 affected units (or units which would have been affected units had the  
17 agreement or order been in effect) during a period which the director  
18 determines to be a representative period. The rate of assessment  
19 prescribed in any such agreement, order or amendment shall for all

1 purposes and times be deemed to be within the limits of assessment  
2 above provided until such time as such agreement or order is amended as  
3 to such rate.

4 The Washington hop commission, following procedures in this  
5 chapter, may raise the rate of annual assessment of the affected unit  
6 in excess of the fiscal growth factor under RCW 43.135.055 from two  
7 dollars and fifty cents to three dollars per two hundred pound bale.

8 The Washington mint commission, following procedures in this  
9 chapter, may adjust the rate of annual assessment on the affected unit  
10 in excess of the fiscal growth factor under RCW 43.135.055 from three  
11 and one-half cents to five cents per pound.

12 **Sec. 2.** RCW 15.26.140 and 1969 c 129 s 14 are each amended to read  
13 as follows:

14 The producers of tree fruit subject to the provisions of this  
15 chapter may subsequent to approving initial assessment increase such  
16 assessment by referendum when approved by a majority of the producers  
17 voting.

18 The tree fruit research commission may adjust the assessment on  
19 cherries in excess of the fiscal growth factor under RCW 43.135.055 to  
20 four dollars per ton.

21 **Sec. 3.** RCW 15.26.155 and 1991 c 257 s 2 are each amended to read  
22 as follows:

23 The producers of tree fruit subject to the provisions of this  
24 chapter may at any time, by referendum conducted by the department and  
25 approved by a majority of the producers voting, establish an additional  
26 assessment for programs including but not limited to sanitation  
27 programs and the reregistration of plant protection products for use on  
28 minor crops. The members of the commission may, subject to approval by  
29 two-thirds of the voting members of the commission, suspend all or part  
30 of the assessments on tree fruit under this section.

31 The commission may adjust the assessment on all tree fruits in  
32 excess of the fiscal growth factor under RCW 43.135.055 to eight cents  
33 per ton.

34 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
35 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and shall take  
2 effect July 1, 1995.

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