

FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL

State of Washington

WASHINGTON CRANBERRY COMMISSION

(name of governing body)

(agency name, if applicable)

Resolution No. 1

Administrative Order No. 1

(1) Be it resolved by the Washington Cranberry Commission acting at Grayland, Washington (place)

that it does promulgate and adopt the annexed rules relating to: WAC 16-565-041 Time, Place, and Method for Payment and Collection of Assessments.

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

This action is taken pursuant to Notice No. 81-16-076 filed with the code reviser on 3/5/81. Such rules shall take effect:

- [X] pursuant to RCW 34.04.040(2). [] at a later date, such date being

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

We, find that an emergency exists and that the foregoing 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 such emergency is:

Such 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 15.65.410 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 he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

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

APPROVED AND ADOPTED September 18, 1981

CODE REVISER'S OFFICE

By Robert P. Quinby Chairman

Title

WSR 81-19-109

NEW SECTION

WAC 16-565-041 TIME, PLACE, AND METHOD FOR PAYMENT AND COLLECTION OF ASSESSMENTS. Effective with the 1981 crop, the following procedure is established for the reporting and payment of assessments levied pursuant to RCW 15.65.410 and WAC 16-565-040:

(1) All first handlers of cranberries for resale or for processing shall withhold the amount of the assessment from their remittance to growers and transmit same to the commission. All such assessments are due and payable on or before February 28 following the harvest period.

(2) All growers selling cranberries other than to first handlers for resale, including selling direct or through brokers, and including all sales at retail, shall pay the assessment directly to the commission on or before February 28 following the harvest period.

(3) Any assessment paid after the above deadline shall be accompanied by a penalty fee of ten percent as provided for in RCW 15.65.440.