

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1753

(1) I, M. Keith Ellis, director of Department of Agriculture

do promulgate and adopt at 406 General Administration Bldg., Olympia, Washington (place)

the annexed rules relating to:

- Brand inspection fee for horses bearing individual identification symbols.
Identification certificates for horses in lieu of brand inspection.

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

This action is taken pursuant to Notice No. 81-24-051 filed with the code reviser on 12-1-81. 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.

I, 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 16.57 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).

(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 January 21, 19 82

STATE OF WASHINGTON FILED

JAN 21 1982

By M. Keith Ellis Director

Title

CODE REVISER'S OFFICE WSR 82-04-001

AMENDATORY SECTION (Amending Order 1748, filed September 9, 1981)

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))~~ forty-five cents per head.

AMENDATORY SECTION (Amending Order 1748, filed September 9, 1981)

WAC 16-620-210 PURCHASE OF OFFICIAL FORMS. Books of the official certificate of permit and bill of sale shall be obtained from the regulatory services division of the department of agriculture upon payment of ~~((one-dollar))~~ one dollar.

AMENDATORY SECTION (Amending Order 1379, filed November 6, 1974)

WAC 16-620-280 INSPECTION-ANNUAL AND LIFETIME CERTIFICATES. ~~((A))--All-horses-shall-be-subject-to-identification-inspection-at all-points-provided-in-section-17-chapter-387-Laws-of-1974-ex.-sess- or-as-otherwise-provided-in-Regulations-1-through-8-in-this-order. Such-identification-shall-be-made-upon-presentation-of-the-individual horse-to-be-identified-at-a-point-where-the-director-of-agriculture has-established-regular-brand-inspection-points-and-during-times regularly-scheduled-for-the-conducting-of-brand-inspection.--(B))~~ Pursuant to the provisions of ~~((chapter-387-Laws-of-1974-ex.-sess.))~~ chapter 296, Laws of 1981, the owner of any horse ~~((or-horses))~~ may ~~((subject-to-his-own-choice))~~ apply for an annual or lifetime identification certificate ~~((for-any-horse-upon-prepayment-of-a five-dollar-annual-fee.--PROVIDED, That-any-horse-bearing-a-brand readily-visible-while-being-transported-and-currently-registered under-provisions-of-chapter-16.57-RCW-may-be-issued-an-annual identification-certificate-for-a-fee-of-three-dollars))~~. The fee for an annual certificate shall be three dollars for any horse bearing a brand readily visible and currently registered with the director under the provisions of chapter 16.57 RCW or five dollars for any other horse. The fee for a lifetime certificate shall be seven dollars and fifty cents for any horse bearing a brand readily visible and currently registered with the director under the provisions of chapter 16.57 RCW or twelve dollars and fifty cents for any other horse. ~~((In-lieu-of-issuing-an-identification-certifi- cate, a-copy-of-the-registration-papers-of-any-horse-registered with-a-nationally-recognized-breed-association-may-be-validated-by the-inspector-making-the-inspection-upon-payment-of-a-five-dollar annual-fee.--A-copy-of-such-registration-papers-to-be-validated-shall also-be-furnished-by-the-owner-for-filing-with-the-director-of--- agriculture-in-Olympia, Washington.--Each-identification-certificate or-validation-of-registration-papers-shall-be-valid-only-for-one-year from-the-date-of-issuance-or-validation.--In-addition-to-the-fees enumerated-in-the-regulation, an-additional-fee-for-the-issuance-of~~

~~identification-certificates-or-validation-of-registration-papers-at-other-than-regularly-established-inspection-points-shall-be-actual-costs-))~~ In the event the fees collected do not cover the cost of the inspector in performing any such inspection, an additional charge may be added at actual costs.

AMENDATORY SECTION (Amending Order 1379, filed November 6, 1974)

WAC 16-620-290 FEES-REGULAR INSPECTION POINTS. The fee for identifying horses bearing individual identification symbols, as defined in chapter 16.57 RCW, at public livestock markets and slaughterhouses shall be two dollars per animal inspected and the fee for all other horses shall be one dollar per animal inspected (~~((unless-exempted-under-the-provisions-of-section-17, chapter-387-Laws-of-1974-ex-sess-))~~) Such inspection (~~((for-said-one-dollar-fee))~~) fees shall be applicable only during the scheduled time which the director of agriculture has established as regular brand inspecting time at each such public livestock market or slaughterhouse. Inspection performed upon request during any other time at such public livestock markets or slaughterhouses shall be actual costs.

AMENDATORY SECTION (Amending Order 1379, filed November 6, 1974)

WAC 16-620-300 OTHER INSPECTION POINTS. An inspection point shall also include a point (~~((mutually))~~) agreed to by the director when such point is to the economic advantage of the department of agriculture in performing the inspection at such point. (~~((The-fee-for-performing-such-inspection-shall-be-either-one-dollar-per-horse-or-the-actual-cost-set-forth-in-WAC-16-620-2707-which-ever-is-greater-))~~) An inspection point shall include any point mutually agreed to by the director and more than one horse owner for the purpose of having multiple horse inspections which would be of economic advantage to the department in performing the inspection service. The cost of brand inspection at such points shall be two dollars per animal for any horse bearing an individual identification symbol, as defined in chapter 16.57 RCW, or one dollar per animal for any other horse. In the event the fees collected do not cover the cost of the inspector in performing any such inspection, an additional charge may be added at actual costs.

AMENDATORY SECTION (Amending Order 1379, filed November 6, 1974)

WAC 16-620-340 INSPECTION, SPECIAL SALES. Inspection shall be mandatory at all special horse sales wherein horses of more than one owner are offered for sale either by private treaty or auction. Inspection charges at any such sale shall be collected and paid to the department of agriculture by the person or business entity conducting the sale. The department of agriculture may require the prepayment of said inspection charges. The charge for inspection at special sales shall be ~~((one-dollar-per-horse-inspected))~~ two dollars per animal for any horse bearing an individual identification symbol, as defined in chapter 16.57 RCW, or one dollar per animal for any other horse. If the inspection charges do not cover the total cost incurred by the department, the remainder shall be the responsibility of the person or business entity conducting the sale at actual cost.

REPEALER

The following sections of the Washington Administrative Code are repealed.

- (1) WAC 16-620-255 BRAND IDENTIFICATION ON HORSES.
- (2) WAC 16-620-310 FURTHER INSPECTION POINTS.
- (3) WAC 16-620-360 CHANGE OF OWNERSHIP.