



CR-103 #5090

E-MAKING ORDER
(RCW 34.05.360)

CR-103 (7/23/95)

Agency:
Washington State Department of Agriculture

- Permanent Rule**
- Emergency Rule**
- Expedited Repeal**

(1) Date of adoption: January 24, 1996

(2) Purpose: The rule will eliminate the restrictions to collect assessments on alfalfa seed if unexpected monies on deposit with the board of the Alfalfa Seed Commission exceeds the total assessments received during that fiscal year.

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

Repealed:
Amended: WAC 16-529-150
Suspended:

(4) Statutory authority for adoption:
Other authority: RCW 15,65,050

PERMANENT RULE ONLY

Adopted under notice filed as WSR 95.20.085 on October 4, 1995 (date).
Describe any changes other than editing from proposed to adopted version:

NONE

EMERGENCY RULE ONLY

Under 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:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date).

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

- Yes No If Yes, explain:

(6) Effective date of rule:

- | | |
|--|--|
| Permanent Rules | Emergency Rules |
| <input checked="" type="checkbox"/> 31 days after filing | <input type="checkbox"/> Immediately |
| <input type="checkbox"/> Other (specify) _____* | <input type="checkbox"/> Later (specify) _____ |

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

NAME (TYPE OR PRINT)

Jim Jesernig

SIGNATURE

TITLE
Director

DATE
1-24-96

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

JAN 24 1996

TIME: 10:55 AM
WSR 96-03-151

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with: NONE

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted* state statutes:	New	_____	Amended	_____	Repealed	_____

*(current calendar year)

The number of sections adopted at the request of a nongovernmental entity:

New _____ Amended 1 Repealed _____

The number of sections adopted on the agency's own initiative: NONE

New _____ Amended _____ Repealed _____

The number of sections adopted in order to clarify, streamline, or reform agency procedures: NONE

New _____ Amended _____ Repealed _____

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	<u>1</u>	Repealed	_____

AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-150 Collections. Any moneys collected or received by the board pursuant to the provisions of this chapter during or with respect to any season or year may be refunded on a pro rata basis at the close of such season or year or at the close of such longer period as the board determines to be reasonably adapted to effectuate the declared policies of this act and the purposes of such marketing agreement or order to all persons from whom such moneys were collected or received, or may be carried over into and used with respect to the next succeeding season, year, or period whenever the board finds that the same will tend to effectuate such policies and purposes. (~~However, if at the end of any fiscal year, the unexpended moneys on deposit with the board shall exceed the total assessments received during that fiscal year, no assessment shall be levied during the next succeeding fiscal year.~~)